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ACTS OF INCORPORATION

AND

ORDINANCES

OF THE

CITY OF ATLANTA,

STATE OF GEORGIA,

NOW IN FORCE.

COMPILED AND ARRANGED BY
MARSHALL J. CLARKE,
June, 1860.

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ATLANTA, GEORGIA:
PRINTED BY C. R. HANLEITER.
1860.

City Government.

FOR 1860.

Mayor.

HON. WILLIAM EZZARD.

Members of Council.

M. T. CASTLEBERRY,	J. B. NORMAN,
JAMES CLARKE,	J. R. D. OZBURN,
H. H. GLENN,	S. B. SHERWOOD,
J. T. L. VIS,	J. R. WALLACE,
P. E. McDANIEL,	ISAAC WINSHIP.

Clerk of Council and Receiver and Collector of City Taxes,
C. F. WOOD.

City Treasurer,
JABEZ R. RHODES.

Marshal,
G. W. ANDERSON.

Deputy Marshal,
E. T. HUNNICUTT.

First Lieutenant of Police,
J. M. LESTER.

Second Lieutenant of Police,
J. M. BLACKWELL.

Serjeant,
G. A. PILGRIM.

Overseer of Streets,
JOHN HAZLETT.

Clerk of Market,
J. F. TROUT.

Letter from the Compiler.

Honorable Mayor and Council of Atlanta.

GENTLEMEN: To-night I have the honor to submit to your examination and decision the manuscript, which one week since, I was appointed to prepare for a new edition of the City Ordinances.

I have endeavored to arrange the Ordinances in a methodical, perspicuous and convenient manner. For this purpose, I have placed them under appropriate heads in alphabetical order, and affixed to the whole a copious Index.

Logical arrangement has made it necessary, in many instances, to separate Sections from the original Ordinances to which they belong, and insert them where their subject-matter designated. Where parts of Sections contradict each other, the repealed parts have been omitted, where such omission would not affect the meaning of the remainder, nor render it necessary to introduce words to preserve the construction of sentences; but, in some cases, what is in force and what is repealed are so closely interwoven, that the removal of the latter would be the destruction of the former. This results from accumulated and complicated legislation upon the same subject, and occasions confusion and obscurity in the meaning of the law. In such cases, as the above-mentioned, it would perhaps be expedient for Council to substitute for the present laws, a new one composed of their vital and binding parts.

As all Ordinances not directly or by implication repealed have been introduced, some may appear in this manuscript which have not recently been enforced, and which may by a kind of common consent have become obsolete. As to these, of course, Council will take what action is most judicious. There may be others which have lost their force by a full accomplishment of their object; to these the same remark will apply. I have not felt at liberty to omit any Ordinance not revoked by a subsequent one.

Very respectfully yours,

MARSHALL J. CLARKE.

ATLANTA, JUNE 1, 1860.

Report of the Committee.

The Committee, to whom was referred the Compilation of the Ordinances of this City, made and arranged by Marshall J. Clarke, for the purpose of examining said Compilation, preparatory to its publication, have performed said duty, and beg leave to report: That after a careful examination of said Compilation, they find that the several Acts of Incorporation and the Ordinances of said City, have been copied with great accuracy, and that the arrangement of the subjects is such as to meet their entire approbation. Mr. Clarke has, in the discharge of his duty, copied some Ordinances which have become obsolete, and others which have subsequently been reënacted with very slight shades of difference. The publication of all these would, in the opinion of your Committee, unnecessarily encumber the publication; some of these have been stricken out, and others, it is thought, it would be best to repeal. In addition to repealing certain Ordinances by name, it is the opinion of your Committee, that it would also be advisable to repeal all Ordinances heretofore passed, not embraced in the said Compilation, so that there cannot, hereafter, be any doubt as to what Ordinances are or are not in force. Your Committee have, therefore, drawn up an Ordinance in accordance with these views, which they respectfully submit for your adoption.

J. T. LEWIS, Chairman.

JUNE 15, 1860.

ACTS OF INCORPORATION.

AN ACT to amend An Act entitled "An Act to Incorporate the Town of Marthasville, in the County of DeKalb," passed the twenty-third day of December, eighteen hundred and forty-three, and also to enlarge the boundary of said Town, and to incorporate the same under the name of the City of Atlanta, and to change the name of the Town of Rome to that of the City of Rome; to provide for the election of a Mayor and City Councilmen and other officers of said Cities, and to confer upon them specified powers, and for other purposes herein mentioned:

SEC. I. *Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and be it hereby enacted by the authority of the same,* That from and after the passage of this Act the Town of Atlanta shall be known and called the City of Atlanta, and the authority and jurisdiction of the said City shall extend one mile from the State Depot in every direction.

SEC. II. *And be it enacted by the authority aforesaid,* That within sixty days from the passage of this Act, by giving two days' notice, and on the third Monday in every January thereafter, all free white persons, citizens residing within the incorporation of said City, who shall be entitled to vote for members of the Legislature of said State, shall be entitled to vote for a Mayor and six members of the City Council, in lieu and instead of Commissioners, as is provided by the Act of which this is amendatory; and that any person or persons legally entitled to vote at said election, shall be eligible either for Mayor or members of the City Council—at which election one Justice of the Inferior Court, or of the Peace, and two free-holders, neither of whom being a candidate, shall preside; and the persons receiving the highest number of votes shall be declared duly elected. That the managers of said election shall give certificates to that effect, which shall be evidence of their election and authority to act, and be recorded by the Clerk of the City Council

in a book to be kept for that purpose—which record shall be held and esteemed as the highest evidence of such election.

SEC. III. *And be it further enacted by the authority aforesaid*, That no person shall be entitled to vote at said election, except he be duly qualified to vote for members of the Legislature as aforesaid, and shall be citizens residing within the corporate limits of said City. Any person voting at such election contrary to the provisions of this section shall be guilty of a misdemeanor, and on indictment and conviction thereof shall be punished by imprisonment and labor in the Penitentiary of this State not more than two nor less than one year.

SEC. IV. *And be it further enacted by the authority aforesaid*, That the Mayor and the members of the City Council shall in all cases hold their offices until their successors are elected and qualified; and in event that the office of Mayor or any one or more of the offices of the City Council shall become vacant by death, resignation, removal, or otherwise, that the Mayor, or, in case his seat is vacated, a majority of the members of the City Council, shall order a new election by giving at least ten days' notice in any one or more of the City papers, or at two or more of the most public places in said City; and said election, so held, shall be managed in the same manner as the elections to be held in chief, according to the provisions of the second section of this Act.

SEC. V. *And be it further enacted by the authority aforesaid*, That the Mayor and members of the Council as before mentioned, shall be known as the Mayor and Council of the City of Atlanta, and by such, their corporate name, shall sue and be sued, plead and be impleaded, and do all other acts relating to their corporate capacity; and shall have and use a common seal, and shall be capable in law to purchase, hold, receive, enjoy, possess and retain to them and their successors for the use and benefit of the said City of Atlanta, in perpetuity or for any term of years, any estate or estates, real or personal, lands, tenements, hereditaments of what kind or nature soever, within the limits of said City, and to sell, alien, exchange or lease the same or any part thereof in any way whatsoever. And the said Mayor and Council shall have full power and authority to pass all by-laws and ordinances respecting the streets of said City, to open and lay out the same, respecting public buildings, work-houses, public houses, carriages, wagons, carts, drays, pumps,

wells, springs, fire-engines, care of the poor, suppression of disorderly houses, regulations of negroes and free persons of color, and every other by-law, regulation or ordinance, that shall appear to them necessary and proper for the security, welfare and interest of the said City, or for preserving the peace, health, order and good government of the same.

SEC. VI. *And be it further enacted by the authority aforesaid,* That the said Mayor and members of the Council shall, at their first annual meeting after their election, proceed to elect, by ballot, a Marshal, and if they deem it necessary, a Deputy Marshal or Marshals, Clerk of Council and Treasurer, each of whom shall remain in office until a new election for Mayor and Council is had, (unless removed) and their successors appointed; and the salaries of the said officers shall be regulated by the Laws and Ordinances of the Mayor and Council, and shall not be increased or diminished during their continuance in office.

SEC. VII. *And be it further enacted by the authority aforesaid,* That as soon as convenient after the election of the said Mayor and members of Council, and before they enter upon the discharge of their official duties, the Mayor shall, before some Justice of the Inferior Court, or Justice of the Peace, take and subscribe the following oath: "I (A. B.) do solemnly swear that I will, to the utmost of my ability, discharge the duties of Mayor (or Council, as the case may be) for the City of Atlanta, during my continuance in office, so help me God." And the Mayor, after being so qualified as aforesaid, shall have full power and authority to administer said oath to each member of the Council.

SEC. VIII. *And be it further enacted by the authority aforesaid,* That in case the Mayor or any member of the City Council, while in office, be guilty of any wilful neglect, malpractice in, or abuse of said office, he or they shall be liable to be indicted before the Superior Court of the County of DeKalb, and on conviction thereof, shall be fined in a sum not exceeding five hundred dollars for each and every such offence, and shall, moreover, be removed from office—which fine or fines shall be paid over to the City Treasurer for the use of said City.

SEC. IX. *And be it further enacted by the authority aforesaid,* That the Mayor and four members of Council shall form a quorum to transact all business, and the Mayor

or President *pro tem* shall have the casting vote, and a majority of the votes shall determine all questions and elections before the Council; and the Mayor and each member of the Council shall be, to all intents and purposes, a Justice of the Peace, so far as to enable them, or any or either of them, to issue warrants for offences committed within the corporate limits of said City—which warrants shall be executed by the Marshal or Deputy Marshal—and to commit to the Jail of the County of DeKalb, or to admit to bail, offenders for their appearance before the next Superior Court thereafter for the County of DeKalb; or in case the offender or offenders are slaves or free persons of color, and then in that case they shall be committed to the Jail of DeKalb County, or bound over for their appearance at the next Inferior Court of said County of DeKalb to await his, her, or their trial; and it shall be the duty of the Jailor of said County of DeKalb to receive all such persons so committed, and safely keep the same until discharged by due course of law.

SEC. X. *And be it further enacted by the authority aforesaid*, That the expenditures of the Mayor and Council and the compensation of the City Officers shall be paid out of the City funds, by an order drawn by the Clerk of Council upon the City Treasurer, and Countersigned by the Mayor, or in his absence, by the President *pro tem* of the Council; and the Marshal, Treasurer and Clerk shall give bond and security to the Mayor and Council of the City of Atlanta in a sum each, to be fixed by the Mayor and Council, for the faithful performance of his or their duties.

SEC. XI. *And be it further enacted by the authority aforesaid*, That any of the Officers of such corporation who may be sued for any act done in his or their official character, may justify under this act.

SEC. XII. *And be it further enacted by the authority aforesaid*, That the Mayor and Council of the City of Atlanta shall have power and authority to call out each and every male person within the jurisdiction of said corporation subject to road duty, who shall be compelled to do road and street duty according to the laws now in force in this State; or the said Mayor and Council shall have power to levy and collect a tax for that purpose.

SEC. XIII. *And be it further enacted by the authority aforesaid*, That the said Mayor and members of Council

shall have full power and authority to pass all Ordinances and By-Laws necessary for the government of said City which do not conflict with the Constitution and Laws of the State of Georgia, and of the United States, reference to which alone shall be had in the adjudications to be had upon this act: and they shall have special power to make all contracts in their corporate capacity which they may deem necessary for the welfare of said City—to levy a tax not exceeding the State tax, on all persons, professions and property within the corporate limits of the City, of whatever kind, either real or personal, which is subject to taxation by the laws of this State—which tax shall be collected by a Tax Collector to be chosen by the Mayor and members of Council, who shall, previous to entering upon the duties of his office, give bond and security to the Mayor and members of the City Council in a sum not exceeding ten thousand dollars, for the faithful discharge of the duties of his office, who shall also act as Tax Receiver for said City—which tax shall be collected at such times and in such manner as the Mayor and members of the Council in their By-Laws shall direct, and shall pay the taxes so collected over to the Treasurer of said City, on or before the first day of August, in the year 1848, and each and every year thereafter; and the said Tax Collector shall receive for his services such sums as may be fixed and set apart by the Mayor and members of Council, and whose term of office shall expire (unless removed) with those who elected him. To empower their said Marshal or Deputy Marshal to remove all nuisances within the corporate limits of said City, and especially require him, the said Marshal, to prosecute before the Superior or Inferior Court of the County of DeKalb, all offenders; and for this purpose the said Marshal or Deputy Marshal shall have full power and authority to examine all places where he suspects a violation of the laws of this State to be carried on, and shall have full power and authority to call to his aid any and all of the white male citizens of said City capable of bearing arms, and shall report all offenders against the penal laws of this State to the Mayor or any member of Council, whose duty it shall be upon such information, to issue a warrant or warrants binding over such offenders to appear before the proper tribunals to answer such charge.

SEC. XIV. *And be it further enacted by the authority aforesaid*, That in all cases where any person or persons, citizens of said City, or who have property subject to taxation within the limits of the same, shall fail, refuse or neglect to pay the taxes imposed according to this Act, the Clerk of the City Council shall issue executions for the same, which execution shall be signed by said Clerk and bear test in the name of the Mayor, and be directed to the Marshal of said City, commanding him to levy on the goods, chattels, lands and tenements of the defendants, or so much thereof as shall be sufficient to satisfy the demand and cost, which execution shall bind all the property of the defendant from the date thereof, and the cost thereof shall be the same as on Tax Collector's executions by the laws of this State; and the said Marshal shall proceed to advertise and sell in such manner as the Laws and Ordinances of said City shall or may direct: *Provided*, That in case any such execution shall be returned by said Marshal "no property to be found," then, and in that case a *capias ad satisfaciendum* against the body of the defendant or defendants may issue, from which he shall not be discharged except by virtue of the laws of this State, made for the relief of honest debtors; and should any defendant or defendants fail to give security for his or their appearance before the Superior or Inferior Courts of DeKalb County, to take the benefit of said Act, then and in that case he, she, or they, shall be committed to the common Jail of the County of DeKalb, there to remain until discharged by due course of law.

SEC. XV. *And be it further enacted by the authority aforesaid*, That the Mayor, and in his absence, any three members of the City Council, shall have full power and authority to impose such fines, not exceeding fifty dollars, for the violation of any or all of the by-laws and ordinances of said City within the corporate limits of the same: *Provided*, Such by-laws and ordinances be not violative of the Constitution or laws of this State, or of the United States.

SEC. XVI. *And be it further enacted by the authority aforesaid*, That the payment of all fines imposed pursuant to the preceding section, shall be enforced in the same manner which is hereinafter [before] provided for the collection of taxes.

SEC. XVII. *And be it further enacted by the authority aforesaid*, That the Mayor of said City shall receive for his

services the sum of Two Hundred Dollars per year, and that each member of the Council shall receive a salary of Twenty Dollars a year ; and all the salaries to be paid to the officers of said corporation, together with all the expenditures made for the use of said City, shall be paid out of the City funds in the hands of the City Treasurer, who shall keep a book in which he shall make an entry of all sums of money received, and shall also make an entry of all sums of money paid out, and for what purpose, and shall take receipts for all sums of money paid out, which book and receipts shall be subject to the inspection of the Mayor and members of the Council of said City at such times as they or either of them shall think proper ; and all sums of money paid into the hands of the City Treasurer by this Act shall, and it is hereby directed to be a fund for the use of said City.

SEC. XVIII. *And be it further enacted by the authority aforesaid,* That the said Mayor and City Council shall have power to license persons to retail, and sell by retail, spirituous liquors within the said City ; and no person or persons shall sell by retail any spirituous liquors within the same, without first obtaining such license, for which they shall pay a sum not exceeding Fifty Dollars, which tax shall be appropriated to the [use] of the said City of Atlanta.

SEC. XIX. *And be it further enacted by the authority aforesaid,* That the Mayor and members of Council of the City of Atlanta, shall have full power and authority to levy a tax in addition to the taxes levied by the provisions of the thirteenth section of this Act, on all billiard tables kept or used for the purpose of playing on, gaming or renting, and on all ten pin allies, nine pin allies, or allies of any kind, which are kept or used for the purpose of playing on with pins or balls, or either, or for the purpose of renting the same, which tax or taxes shall be collected according to the provisions of the thirteenth and fourteenth sections of this Act ; and the said Mayor and City Council shall have power and authority to levy and collect a tax, not exceeding Fifty Dollars, for each exhibition, from all itinerant showmasters, who may exhibit within said City any shows, circus riding, tumbling, slight-of-hand, legerdemain, or tricks of any kind whatsoever, coming under this description.

SEC. XX. *And be it further enacted by the authority aforesaid,* That said Mayor and City Council shall have power and authority to license a Vendue-Master, or Ven-

due-Masters for said City, such Vendue-Master or Masters first paying to the Mayor and City Council the sum of Fifty Dollars each, for said license, and giving bond and security to the Mayor and City Council in the manner prescribed by the laws of this State regulating Vendues. And if any person or persons shall sell any goods, wares, or merchandise, or any other property whatsoever, as a Vendue-Master, or at auction or public outcry, within said City, without having first obtained a license from the Mayor and City Council, he or they shall forfeit and pay for every such sale the sum of Five Hundred Dollars, to be recovered in any Court of competent jurisdiction, and to be applied one-half to the use of the said City, and the other half to the person giving the information and suing for the same: *Provided, always,* That nothing in this section shall be construed to extend to any sales made by lawful officers under executions issuing from the proper authorities, or to sales made by or under the authority of Executors, Administrators or Guardians, or to prohibit resident citizens of said City from vending at auction their own property therein.

SEC. XXI. *And be it further enacted by the authority aforesaid,* That from and after the passage of this Act, the town of Rome, in the County of Floyd, shall be known and called by the name of the City of Rome; and that the authority and jurisdiction of the City of Rome shall extend one-half mile in every direction from the Court House.

SEC. XXII. *And be it further enacted by the authority aforesaid,* That each and every provision in this Act contained, in relation to the city of Atlanta, shall apply to, and be in force as to the said city of Rome as fully and to the same extent as if specially enacted therefor.

SEC. XXIII. *And be it further enacted by the authority aforesaid,* That all laws militating against the provisions of this Act, be, and is hereby, repealed.

CHARLES J. JENKINS,
Speaker of the House of Representatives.
ANDREW J. MILLER,
President of the Senate.

Approved, 29th December, 1847.

GEORGE W. TOWNS, Governor.

AN ACT in addition to and amendatory of an Act entitled an Act to amend an Act to incorporate the town of Marthasville in the county of DeKalb, passed on the twenty-third day of December, eighteen hundred and forty-three, and also to enlarge the boundary of said town, and to incorporate the same under the name of the city of Atlanta, and to change the name of the town of Rome to that of the city of Rome, to provide for the election of Mayor and Councilmen, and other officers of said cities, and to confer upon them specific powers, and for other purposes therein mentioned, approved the 29th December, 1847.

SEC. I. *Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by authority of the same,* That from and after the passage of this Act, it shall be the duty of the Receiver of Tax Returns of the city of Atlanta, to furnish the Mayor and City Council of the city of Atlanta with a list of the names of the persons liable to pay tax, within the limits of the incorporation, which has not been given in according to the laws of said city in each and every year.

SEC. II. *And be it further enacted by the authority aforesaid,* That the Mayor and Council of said City shall have power and authority to appoint three persons, who shall be freeholders and residents of said city, Assessors, whose duty it shall be to assess the tax on all persons and property subject to taxation within said city, which has not been given to the Receiver, as the laws of said city require, and return the amount so assessed by them, together with the names of the owners of the property, within thirty days after they shall receive said list, and the said Tax Collector shall issue executions against said defaulters for double the amount so assessed and returned to him, which executions shall be collected in the same manner, and under the same rules and regulations that now govern the collections of State tax, and the Tax Collector of the city of Atlanta shall have the same fees for issuing, and the same commissions for collecting, that the Tax Collector for the county of DeKalb now has by law.

SEC. III. *And be it further enacted by the authority aforesaid,* That the Mayor and City Council of the city of Atlanta, shall have power and authority to fine, not exceeding

twenty-five dollars, or imprison, not exceeding twenty-four hours, any person or persons who shall be guilty of hooting, hallooing, or making any other unnecessary or unusual noise within the limits of the incorporation, to the disturbance of the citizens thereof, and who does not desist when required so to do by the Marshal or any citizen of said city.

SEC. IV. *And be it further enacted by the authority aforesaid,* That the Mayor and City Council of the city of Atlanta shall have power and authority to levy tax in each and every year, on all the real estate and stock in trade within the corporate limits of said city, liable to taxation by the laws of the State, of not more than one per cent. on the value thereof, for the purpose of making within or beyond the limits of said incorporation, such improvements as may be necessary to promote the interest of said city, and for the purpose of enabling said incorporation to take, own and hold stock in any plank road or roads, or other improvements connected with said city, which tax shall be levied and collected in the same manner as is provided for collecting the tax in said city by the foregoing parts of this Act, or in such manner as the Mayor and City Council may provide by the laws to be made by them for that purpose, provided such by-laws shall not be repugnant to the Constitution and laws of this State.

Approved, February 23d, 1850.

AN ACT to authorize the Mayor and Council of the city of Atlanta, and the Mayor and Council of the city of Rome to levy and collect a tax within the corporate limits of said cities.

SEC. I. *Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this Act, the Mayor and members of Council of the city of Atlanta, and Mayor and Council of the city of Rome, shall have full power to levy a tax of not exceeding one-half of one per cent. upon the value of all the property within the corporate limits of said cities respectively of whatever kind, which is or may be subject to taxation by the laws of this State, and a further tax not exceeding the State tax, on all persons and professions

within the corporates of the same, which taxes shall be collected according to the provisions of the law incorporating the said cities of Atlanta and Rome.

SEC. II. *And be it further enacted*, That all laws or parts of laws militating against this Act, be, and the same are hereby repealed.

JAMES A. MERIWETHER,
Speaker of the House of Representatives.

ANDREW J. MILLER,
President of the Senate.

Approved, January 22, 1852.

HOWELL COBB, Governor.

DIVISION OF THE CITY INTO WARDS.

Provisions of an Act amending the Charter of the city of Atlanta, and for other purposes.

SEC. XXV. *And be it further enacted by the authority of the same*, That the number of members of the Council of the city of Atlanta, be increased to ten, and that the present Mayor and Council of the said city of Atlanta have power and authority to lay off said city into five Wards; and that two members of Council be annually elected from each of said Wards, and that those two in each Ward having the highest number of votes be declared such members elected.

SEC. XXVI. That each person voting for said members of Council, shall express on their ticket the person for whom he is voting, and the Ward of which such person voted for is a member.

SEC. XXVII. That the said Mayor and Council shall have full power and authority to elect by ballot, three persons annually as City Assessors, to assess the value of all real estate, lying within the corporate limits of said city, and subject to taxation, and which said Assessors shall make a return to said Mayor and Council at such time as they shall appoint. And said Mayor and Council shall place such Assessments so returned in the hands of the Tax Receiver of said city, who shall enter the same in his books with other taxes, and the same shall be collected as other taxes of said city.

SEC. XXVIII. That the said Assessors, before they en-

ter on the discharge of their duty, shall take and subscribe an oath before the Mayor, faithfully and truly to assess all the real estate within the corporate limits of Atlanta, and to return such assessment to the Mayor and Council thereof, with the name of the owner thereof; and shall receive for their services such sum, each, as the Mayor and Council shall order.

SEC. XXIX. That the Marshal and Deputy Marshal shall annually, at the first regular meeting after the election and installation into office of the Mayor and members of Council, be by ballot elected by said Mayor and Council, and shall be removable from office by the same for any neglect of duty or misdemeanor.

SEC. XXX. That the salary of the Mayor of said city shall be Five Hundred Dollars; and that the members of Council shall receive no salary for their services as members of Council.

SEC. XXXI. That the Mayor and Council shall have power and authority to license Billiard Tables, and Ten-Pin Alleys, and which license fee shall not exceed Fifty Dollars on each Table or Alley Track.

EXECUTIVE DEPARTMENT, January 4, 1854.

This is to certify that the preceding sections are true copies from the enrolled Act entitled an Act "To Incorporate the Town of Dalton, and for other purposes therein specified," which has received the Executive signature and approval.

B. B. DEGRAFFENRIED,
Secretary Executive Department.

Be it further enacted by the authority aforesaid, That the corporate limits of the city of Atlanta shall be extended so far as to embrace the territory lying within the following boundary, to-wit: Commencing at a point on the incorporation line one-fourth of a mile from the Macon & Western Railroad, and on the South side of said road, and running in a westerly direction parallel with said road, five hundred yards, thence one-half mile in a northerly direction, running concentric with the present corporation line, thence in an easterly direction to the incorporation line, thence to the beginning along said line."

AN ACT to amend the 18th Section of the Charter of the city of Atlanta, and to confer certain powers upon the Mayor and Council of said city herein specified, and to prescribe the manner in which the Clerk of the City Council shall direct his Summons, Precept and Execution and other processes.

SEC. I. *Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met and it is hereby enacted by authority of the same, That the eighteenth section of the Charter incorporating the Town of Marthasville, now city of Atlanta, shall be and is hereby altered and amended so as to read, and be the Mayor and Council of the city of Atlanta shall have power to restrict, regulate, or prohibit the sale, vending and distribution of any wine, rum, gin, brandy, whisky or other spirituous liquors, or any mixture of said liquors, in quantities less than one quart in the incorporate limits of said city, under such penalty as they may prescribe, not exceeding Fifty Dollars for each offence.*

SEC. II. *And be it further enacted by the authority aforesaid, That said Mayor of Council shall have power to issue license for the retail of spirituous liquors and intoxicating drinks, under such terms, conditions and restrictions as they may deem expedient for the public good, for which license they shall demand and receive not exceeding Fifty Dollars, and Clerk's fee of One Dollar and Twenty-Five Cents each; and which license shall be of force for the term of twelve months from date, and no longer; in addition to the power to collect Fifty Dollars for issuing retail license as above specified, the said Mayor and Council shall have power and authority to levy an extraordinary tax upon spirituous liquors and distilled drinks and wine kept for the purpose of retail in said city of not exceeding fifty per centum upon their assessed value given in under oath by such retailer when he returns his taxable property—which sum of money, so raised by such tax, shall be kept and known as a poor-school fund for the education of the poor children of the city of Atlanta; and if any person shall sell by retail in quantities less than one quart, any wine, brandy, rum, gin, whisky, or other spirituous liquors, in any place whatever, within the incorporate limits of the city of Atlanta, without a license for such purpose from the Mayor and Council of said city, such*

person or persons so offending, shall each be fined in a sum of not exceeding fifty dollars and cost of trial, and on conviction before the Mayor or three members of Council for each offence, and every such sale on distinct days shall constitute separate offence: *Provided, moreover,* Nothing in this section of the Act shall be so construed as to annul, limit or disparage the discretionary power and the entire control over this matter, conferred upon said Mayor and Council in the first section of this Act.

SEC. III. *And be it further enacted by the authority aforesaid,* That all warrants, summonses, precepts executions, or other process issued by the Clerk of the city Council of Atlanta, shall be to the Marshal and Deputy Marshal of the city of Atlanta.

SEC. IV. *And be it further enacted by the authority aforesaid,* That the citizens of Atlanta shall, at their next election, by a vote, declare whether they accept or reject this amendment of their Charter.

SEC. V. *And be it further enacted by the authority aforesaid,* That all laws and parts of laws militating against this Act, be, and the same are hereby repealed.

WILLIAM H. STILES,

Speaker of the House of Representatives.

DAVID J. BAILEY,

President of the Senate.

Approved, March 3, 1856.

HERSCHEL V. JOHNSON, Governor.

SECRETARY OF STATE'S OFFICE,

Milledgeville, Georgia, March 31st, 1856.

I hereby certify that the foregoing is a correct copy of the enrolled Act of deposit in this office.

Given under my hand and seal of office.

[SEAL.]

E. P. WATKINS,

Secretary of State.

AN ACT to incorporate the city of Greensborough, to provide for its government, define its powers, and for other purposes therein mentioned.

SEC. XV. *And be it further enacted*, That from and after the fifteenth day of January, in the year eighteen hundred and fifty-seven, the Clerk of the City Council of Atlanta shall receive the sum of thirty-one and one-fourth cents on all solvent tax fi fas issued in pursuance of the Charter and Ordinances of said city, and shall receive such compensation for all insolvent tax fi fas as the Mayor and Council shall by Ordinance ordain and establish.

SEC. XVI. *And be it further enacted*, That the Mayor and Council of the city of Atlanta, from and after the passage of this Act, shall not be liable to pay any insolvent execution except upon such terms and regulations as they may prescribe.

SEC. XVII. *And be it further enacted*, That the Mayor and three members of Council of the city of Atlanta, sitting as a Municipal Court, shall have power and authority to impose a fine of not exceeding fifty dollars, or imprisonment in the Guard House of said city, upon any offender against any of the Laws or Ordinances of said city, for the space of not exceeding thirty days.

Approved, March 5th, 1856.

AN ACT to change the time of holding the several elections in this State, and for other purposes.

SEC. II. *The General Assembly do further enact*, That the election for Mayor and Council of the city of Atlanta, shall be held on the third Wednesday in January, annually, instead of third Monday, as now provided for by law.

SEC. III. Repeals conflicting laws.

Assented to, December 12, 1859.

AN ACT to amend the Charter of the city of Atlanta, and for other purposes therein mentioned.

SEC. XI. *Be it further enacted*, That from and after the passage of this Act, the Mayor and City Council of the city of Atlanta, shall have full power to open and lay out,

to widen, straighten, or otherwise change streets and alleys in the said city of Atlanta; whenever the said Mayor and Council shall exercise the power above delegated, they shall appoint two free-holders, and the owner or owners of said lots fronting on said streets or alleys, shall, on five days' notice, appoint two free-holders who shall proceed to assess the damages sustained or advantages derived by the owner or owners of said lots in consequence of the opening, widening, straightening, or otherwise changing said streets and alleys, and in case said assessors cannot agree, they shall select a fifth free-holder; the said Assessors to take an oath that they will faithfully discharge their duties, and either party to have the right to enter an appeal to the Superior Court of Fulton, within ten days from the rendition of said award; the Mayor and Council of said city of Atlanta, to have power and authority to levy, collect and enforce the the final award or judgment in each and every case, by execution against the owner or owners of said lots when the same is found to be advantageous to said owners.

SEC. XII. *Be it further enacted, &c.,* That said Mayor and Council shall have power and authority to establish and fix such a system of grading and draining of the streets in said city, as they may deem proper.

SEC. XIII. *Be it further enacted, &c.,* That said Mayor and Council shall have power to order such pavements, or side-walks, laid down as they may deem proper; and upon failure of any person to comply with the same within the time prescribed, the said Mayor and Council may have the same done, and levy and collect the expenses thereof, by executions against the lands and goods and chattels of the owner of the lot or lots.

SEC. XIV. *Be it further enacted, &c.,* That the eighteenth Section of the Act of Incorporation of the city of Atlanta, approved December 29th, 1847, read as follows: "That the said Mayor and Council (of the city of Atlanta) shall have power to license persons to retail, and sell by retail spirituous liquors within the said city; and no person or persons shall sell by retail any spirituous liquors within the same without first obtaining such license, for which they shall pay a sum not exceeding three hundred dollars; which tax shall be appropriated to the use of the said city of Atlanta.

SEC. XV. *Be it further enacted,* That the Mayor and

Council of said city of Atlanta, shall have power to impose a tax for the vending of Lottery Tickets, in case of any Lottery authorized by the laws of this State; and the tax imposed shall not be less than Five Hundred Dollars on each ticket sold in said city.

SEC. XVI. *Be it further enacted*, That each and every person desirous of establishing a Bank Agency in said city, shall first pay to said Mayor and Council a sum not more than Three Hundred Dollars, for the right and privilege of doing business for the term or space of twelve months.

SEC. XVII. *Be it further enacted*, That said Mayor and Council shall have power to levy and collect from itinerant traders who may directly, or indirectly, by themselves or others, sell any goods, wares, or merchandise in said city, such tax as to them may seem proper; *Provided*, that no person or persons shall be prohibited from selling, free of tax, any number of books, maps, charts or mathematical instruments made in this State or elsewhere, within said city of Atlanta.

SEC. XVII. *And be it further enacted*, That the State reserve to itself the right to repeal or modify this Act, at any time she may deem proper.

SEC. XIX. Repeals conflicting laws.

Approved, December 12th, 1859.

AN ACT to authorize the Mayor and Council of Atlanta to take possession of the enclosed ground lying between the General Passenger Depot and Decatur street, and the Atlanta Hotel and Loyd street, in the city of Atlanta, for the purpose of beautifying and ornamenting the same, to be used as a Railroad Park.

SEC. I. *The General Assembly of the State of Georgia do enact*, That the Mayor and Council of the city of Atlanta be, and they are hereby authorized to take possession of the enclosed ground, lying between the General Passenger Depot and Decatur street, and the Atlanta Hotel and Loyd street, in the city of Atlanta, and that they be, and are hereby allowed to beautify and ornament the same with shade trees, flowers, and shrubbery—to construct walks through the same; to pave or flag said walks, and said piece of ground thus beautified and ornamented, to be used as a pub-

lic or Railroad Park until it shall be required by the State of Georgia to be used and occupied for Railroad purposes.

SEC. II. *The General Assembly do further enact*, That the occupancy of the ground described in the first section of this Act, by the city authorities of Atlanta, shall not work a forfeiture of the right of the State of Georgia in and to the same.

SEC. III. Repeals conflicting laws.

Approved, November 23d, 1859.

AN ACT to amend the Charter of the city of Atlanta.

SEC. VII. *Be it further enacted*, That the Mayor and Council of the city of Atlanta shall be, and are hereby authorized to fix the salary of the Mayor of Atlanta; *Provided*, the same shall not exceed the sum of one thousand dollars per annum.

SEC. VIII. Repeals conflicting laws.

Approved, December 19th, 1859.

ORDINANCES.

AIR-LINE RAILROAD.

AN ORDINANCE to authorize the subscription of one hundred thousand dollars Stock in the Georgia Air-Line Railroad, and to provide for the payment of the same, and for other purposes.

WHEREAS, the City Council of Atlanta, by a resolution passed by them on the nineteenth day of February, eighteen hundred and fifty-eight, authorized the Mayor of said city to subscribe, in behalf of said corporation, for one hundred thousand dollars Stock in the Georgia Air-Line Railroad, to be paid in four equal installments as follows, to-wit: To issue Bonds for the same of twenty-five thousand dollars, the same to be paid over to the Georgia Air-Line Railroad Company, for every twenty-five miles of Railroad finished, for the purpose of equipping said Railroad, provided said Railroad commence in or near the corporate limits of said city, and provided, further, that said Railroad Company build their Machine Shops in the city of Atlanta; therefore

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same, That the Mayor be, and he is hereby authorized to subscribe in behalf of said City Council, for one hundred thousand dollars Stock in the Georgia Air-Line Railroad, and that so soon as the Mayor of the city of Atlanta shall be notified by the President of the Georgia Air-Line Railroad Company, that twenty-five miles of said Air-Line Railroad has been graded ready for the superstruc-*

ture that distance, be, and he is hereby authorized to issue in the name and behalf of the City Council of Atlanta, Bonds of convenient amounts, not to exceed in the aggregate the sum of twenty-five thousand dollars, signed by him in his official capacity, and countersigned by the Clerk of Council, and sealed with the corporate seal, payable at the Bank of Fulton in the city of Atlanta, twenty years after the date of the same, and to bear interest at the rate of seven per cent. per annum, payable semi-annually on the first days of July and January in each and every year, at the Bank of Fulton, in the city of Atlanta, according to coupons or warrants to be annexed to said Bonds, which coupons or warrants shall be signed officially by said Mayor, and attested by said Clerk, which Bonds thus executed shall be paid over to said Georgia Air-Line Railroad Company at par, for the purpose of purchasing the iron and equipping the said twenty-five miles of said Railroad, the interest on which shall be computed from the time that the same is thus paid to the said Railroad Company.

SEC. II. *Be it further ordained by the authority aforesaid,* That as soon as the said Mayor shall be notified by the President of the said Railroad Company in writing, that another twenty-five miles of said Railroad are finished ready for the engines to run over the same, he is hereby authorized to issue in the name and behalf of the city Council of Atlanta, Bonds of convenient amounts, not to exceed in the aggregate the sum of twenty-five thousand dollars, signed by him in his official capacity, and countersigned by the Clerk of Council, and sealed with the corporate seal, payable at the Bank of Fulton in the city of Atlanta, twenty years after the date of the same, and to bear interest at the rate of seven per cent. per annum, payable semi-annually on the first days of January and July in each and every year, at the said Bank of Fulton, according to coupons annexed to said Bonds, to be signed and attested as provided for in the first section of this Ordinance, which Bonds shall be paid over to the said Railroad Company at par, and the interest thereon to be computed from that time, for the purpose of equipping said Railroad; and for every additional twenty-five miles of said Railroad thus completed, the said Mayor, when thus notified, be, and he is hereby authorized to issue Bonds as before provided, for the sum of twenty-five thousand dollars, payable twenty years from their date,

and at the place provided for the payment of those mentioned in the first and second sections of this Ordinance, with the same rate of interest, payable as before, with coupons or warrants annexed to the same, signed as before, and the same, when thus executed, to be paid over to said Railroad Company at par, interest to be computed on the same from the time they are thus paid over to said Railroad.

SEC. III. *Be it further ordained by the authority aforesaid*, That it shall be the duty of the Mayor and Council of the city of Atlanta to levy and collect from time to time, such taxes on real estate and stock in trade in said city, as shall be necessary to pay promptly the interest on the Bonds that may be issued in pursuance with the provisions of this Ordinance, as well as for the purpose of creating such sinking fund as may be necessary for the redemption of said Bonds, as they shall respectively become due and payable, and to levy and collect such other tax on persons and property in the corporate limits of said city, as the legislation of the State of Georgia may by law authorize, for the purposes aforesaid, and upon receipt of such tax thus levied and collected, to deliver to such tax payers a transferable scrip or certificate of such payment, securing to such tax payer, his heirs or assigns, an interest in said Railroad Stock thus taken, in proportion to the amount of tax so by him or her paid, and by an Ordinance provide for the divesting of the City Council of Atlanta of the Stock authorized by this Ordinance to be subscribed, and investing the same in such tax payers.

SEC. IV. *Be it further ordained by the authority aforesaid*, That all Ordinances and parts of Ordinances in conflict with the provisions of this Ordinance, be and the same are hereby repealed.

LUTHER J. GLENN, Mayor.

Passed, March 5th, 1858.

C. C. HOWELL, Clerk.

AN ORDINANCE to provide for taking Stock in the Georgia Air-Line Railroad, and to raise a fund for that purpose.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained and enacted by the*

authority of the same, That the Mayor be, and he is hereby authorized and directed to subscribe in the name and behalf of the Mayor and Council of the city of Atlanta, for one hundred thousand dollars of the Capital Stock of the Georgia Air-Line Railroad Company; *Provided*, that no part of said subscription, except one per cent., shall become payable until the sum of six hundred and fifty thousand dollars in the Stock of said Company shall have been taken up by other bona fide subscriptions.

SEC. II. *And be it further ordained and enacted*, That the one per cent. aforesaid shall be paid whenever called for out of any money in the Treasury, not otherwise appropriated.

SEC. III. *And be it further ordained and enacted*, That for the payment of the balance of said subscription the Mayor shall issue, when it becomes necessary, Bonds of the city, signed by him officially, and countersigned by the Clerk of Council, to the amount of ninety-nine thousand dollars, bearing interest at the rate of seven per cent. per annum, payable semi-annually. The said Bonds shall be divided into three classes of thirty-three thousand dollars each; the first class shall become due the first of January, eighteen hundred and seventy-three; the second class on the first of January, eighteen hundred and seventy-eight, and the third class on the first of January, eighteen hundred and eighty-three, and both principal and interest shall be made payable at the City Treasury in Atlanta. For the payment of said Bonds at maturity, the whole amount of the Railroad Stock herein directed to be subscribed for, together with the faith and credit of the city, shall stand pledged and bound, and for the payment of the interest thereon a tax of one-fourth of one per cent. annually, on all real estate within the city, is hereby levied and imposed; which tax shall be collected for the year within which the first of said Bonds shall be issued, and every year thereafter until the dividends of said Railroad Stock shall amount to eight per cent. per annum, after which the interest shall be paid out of said dividends, and the tax cease, unless it should happen that the said Stock should afterwards fail to yield eight per cent. in dividends, in which case the said tax, or so much thereof as may be necessary, shall be renewed from time to time. for the purpose of supplying such deficiency in the dividends.

SEC. IV. *And be it further ordained and enacted*, That said Bonds shall be paid to the said Railroad Company and the said Railroad Company shall receive them at their par value, with six per cent. added, to be paid in cash out of the City Treasury, at the time of delivering the Bonds.

SEC. V. *And be it further ordained and enacted*, That said Bonds shall not be called for by said Railroad Company, except in such installments as other stockholders in said Company may be required to pay in their subscriptions; and the Bonds for each installment shall bear date at the time they are paid in. But nothing herein contained shall prevent the said Company from calling on the Mayor for any installment at a time different from that at which the corresponding installment may be required of other stockholders; *Provided*, That such difference of time do not exceed three months.

SEC. VI. *And be it further ordained and enacted*, That at the time of subscribing, the Mayor shall furnish to the officer, agent, or commissioner receiving said subscription, a copy of this Ordinance; and all the terms, conditions and limitations herein before prescribed, shall become a part of the contract created by the act of subscribing.

WILLIAM EZZARD, Mayor.

Passed, January 6th, 1857.

H. C. HOLCOMBE, Clerk.

AN ORDINANCE directing the Mayor of the city of Atlanta to issue in the name of the Mayor and City Council of Atlanta, Bonds to the amount of five thousand dollars, to be used in the location of the Georgia Air-Line Railroad, and provide a fund for the payment of the same.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority aforesaid*, That the said Mayor of the city of Atlanta be, and he is hereby authorized to issue in the name of the Mayor and Council of the city of Atlanta, Bonds of convenient amounts, not to exceed in the aggregate the sum of five thousand dollars, which Bonds are to become due on the first day of January, eighteen hundred and seventy-three, payable at the Treasury of the city of Atlanta, with interest at the rate of seven

per cent. per annum, payable semi-annually, at the same place, on the first day of January and July of each and every year, which Bonds shall have attached to them warrants or coupons for such interest, which Bonds and coupons shall be signed by the Mayor, and countersigned by the Clerk of Council; the interest thereon shall be computed from the time such Bonds shall be placed in the hands of the President of the Georgia Air-Line Railroad, and when said Bonds shall be thus executed, it shall be the duty of said Mayor, upon the application of the President of the Georgia Air-Line Railroad, to deliver the same to him at par, for the purpose of locating the Georgia Air-Line Railroad, and take his receipt as such President, for the same.

SEC. II. *Be it further ordained by the authority aforesaid*, That so soon as the President and Directors of said Georgia Air-Line Railroad Company shall make it satisfactorily appear to said Mayor and Council that the requisite amount of bona fide Stock has been subscribed, to make the regular installments of the first city subscription of one hundred thousand dollars available, under the conditions and restrictions contained in the Ordinances of said city providing for such subscription, and the first regular installment called for by said President and Directors, then the five thousand dollars of Bonds, as provided for in the first section of this Ordinance, shall be entered as a payment to that extent on such regular installment of said subscription, and a certificate of such payment shall be delivered by said President to the said Mayor and Council of the city of Atlanta.

SEC. III. *Be it further ordained by the authority aforesaid*, That the same tax levied by virtue of an Ordinance entitled "An Ordinance to provide for the taking Stock in the Georgia Air-Line Railroad, and to raise a fund for the purposes," adopted by the Mayor and Council of the city of Atlanta, on the 6th day of January, 1857, for the payment of the principal and interest of the Bonds in the said Ordinance specified, be, and the same is hereby levied for the purpose of paying the interest and creating a sinking fund for the ultimate redemption of said Bonds.

SEC. IV. *Be it further ordained by the authority aforesaid*, That it shall be the duty of said Mayor, when he delivers to the President of said Georgia Air-Line Railroad the Bonds as provided for in the first section of this Ordinance,

to deliver to said President, along with said Bonds, a copy of this Ordinance, which shall form a part of the contract between the Mayor and Council of the city of Atlanta, and the said Georgia Air-Line Railroad Company, in relation to the matters contained in the same.

LUTHER J. GLENN, Mayor.

Passed in Council, June 25th, 1858.

C. C. HOWELL, Clerk.

AN ORDINANCE for the subscription of Stock to the Georgia Air-Line Railroad Company on certain conditions.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same,* That in lieu of all other subscriptions of Stock heretofore made by the city of Atlanta to the Georgia Air-Line Railroad Company, that the Mayor of the city is hereby authorized and required to subscribe to the Georgia Air-Line Railroad Company, the sum of three hundred thousand dollars, to be paid to the said Company on the following conditions, to-wit: Whenever there are twenty miles of track graded and ready for the iron, then the Mayor is to issue one hundred thousand dollars of her Bonds payable at ten years after date, bearing interest at the rate of seven per cent. per annum; *Provided*, the grading is commenced next and adjoining Atlanta, the amount is to be expended for iron and equipments, and when the next twenty miles adjoining the twenty miles next to Atlanta, are graded and ready for the iron, making forty miles from Atlanta, then the Mayor is authorized to issue one hundred thousand dollars more of her Bonds, payable in twelve years, with interest at the rate of seven per cent. per annum.—When the next twenty miles are graded, making sixty miles graded and ready for the iron, then the Mayor is authorized to issue one hundred thousand dollars more of her Bonds, payable fifteen years after date, drawing interest at the rate of seven per cent. per annum.

SEC. II. *Be it further ordained,* That the six thousand dollars already issued to the Georgia Air-Line Railroad, be deducted, at the option of the city, from whichever payment she may choose.

SEC. III. *Be it further ordained*, That this subscription take the place of all other subscriptions heretofore subscribed by the city to the Georgia Air-Line Railroad.

SEC. IV. *Be it further ordained*, That this subscription be valid if the work for the first twenty miles is finished in three years, the second twenty miles is finished in five years, the third twenty miles in seven years from the passage of this Ordinance.

SEC. V. *Be it further ordained*, That all Ordinances and parts of Ordinances militating against this Ordinance, be, and the same are hereby repealed.

WILLIAM EZZARD, Mayor.

Passed, April 13th, 1860.

C. F. WOOD, Clerk.

AN ALLEY FROM MITCHELL TO HUNTER STREET.

AN ORDINANCE to be entitled An Ordinance to provide for laying out and opening an Alley from Mitchell street to Hunter street.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by authority of the same*, That the City Surveyor, by authority and direction of the Street Committee, proceed to admeasure and lay out an Alley, from Mitchell street to Hunter street, in said city, sixteen feet wide, commencing on Mitchell street at the South-West corner of J. R. & C. H. Wallace's Ware-House, two hundred and ten feet from Whitehall street, and to run in a Northern direction, parallel with Whitehall street, to Hunter street.

SEC. II. *Be it further ordained*, That so soon as said Alley is laid out, and the damages done in opening the same shall be assessed by the persons to be appointed for that purpose, it shall be the duty of the Marshal to require of the citizens owning property upon said Alley, and who are benefitted by laying out the same, to pay the amount which the Assessors may fix upon and adjudge against them, re-

spectively, which money shall be paid over to those who may be damaged, in proportion to the damage sustained by them respectively.

SEC. III. *Be it further ordained*, That if any person who shall be adjudged to be benefitted by the said Assessors, shall refuse to pay the amount adjudged against them, it shall be the duty of the Marshal to report said fact to the Clerk of Council, who shall issue an execution or executions against said persons for each amount, which shall be levied and collected as other fi. fas.

SEC. IV. *Be it further ordained*, That so soon as the damages so assessed shall be paid to the persons entitled to the same, it shall be the duty of the Overseer of the Streets, under the direction of the Street Committee, to proceed to open said Alley.

SEC. V. *Be it further ordained*, That all Ordinances conflicting with this Ordinance be, and the same are hereby repealed.

WILLIAM EZZARD, Mayor.

Passed, April 13th, 1860.

C. F. WOOD, Clerk.



ASSESSORS OF CITY PROPERTY.

AN ORDINANCE creating City Assessors and prescribing their duties.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authortiy of the same*, That three persons shall be elected by Council annually, as City Assessors, whose duty it shall be to assess all the real estate in the city, with the name of the owner thereof, and the value and number of each lot, and report the same to Council by the fifteenth day of May next, and annually thereafter, and that each Assessor shall receive such compensation as Council may direct, when in actual discharge of the duties.

SEC. II. And all Ordinances militating against this Ordinance be, and the same are hereby repealed.

WILLIAM M. BUTT, Mayor.

Done in Council, March 31st, 1854.

H. C. HOLCOMBE, Clerk.

BONDS FOR STOCK IN CHATTAHOOCHEE BRIDGE COMPANY.

AN ORDINANCE to authorize and direct the Honorable Mayor of the city of Atlanta to subscribe in behalf of the Mayor and Council of said city, for Thirty Shares of One Hundred Dollars each, in the "Chattahoochee Bridge Company," and to authorize the issuing of the Bonds of the city of Atlanta in payment of said subscription.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by authority of the same,* That his Honor, the Mayor of said city be, and he is hereby authorized and directed to subscribe in behalf of this Corporation, for Thirty Shares of One Hundred Dollars each, in the "Chattahoochee Bridge Company.

SEC. II. *And be it further ordained,* That there shall be issued in the Bonds of the city of Atlanta, three thousand dollars to pay for such subscription. The Bonds shall be issued in sums of five hundred dollars each, bearing interest at seven per cent. per annum, the interest payable semi-annually at the Agency of the Georgia Railroad and Banking Company, in the city of Atlanta; principal payable at the end of twenty years at the same place. There shall be attached to each Bond coupons or interest warrants, for each half-yearly sum of interest.

The Bonds shall be substantially in the following form:

"STATE OF GEORGIA, }
 FULTON COUNTY. }

Know all men by these presents, that the Mayor and Council of the city of Atlanta, acknowledge to owe to the

“Chattahoochee Bridge Company” the sum of five hundred dollars lawful money of the United States of America, which sum the Mayor and Council of the city of Atlanta, do hereby promise for themselves and their successors, well and truly to pay to the said “Chattahoochee Bridge Company,” or to the bearer thereof, twenty years from the date hereof, at the Agency of the Georgia Railroad and Banking Company, in the city of Atlanta; and the said Mayor and Council of the city of Atlanta, for themselves and their successors, do hereby engage to pay an interest on the said sum of five hundred dollars, at the rate of seven per cent. per annum in the city of Atlanta, to-wit: on the first day of July, eighteen hundred and fifty-seven, and on the first day of July and January in each and every year thereafter, upon the delivery of the coupons severally annexed, until the payment of the said principal sum.

In testimony whereof, the Mayor and City Treasurer have signed these presents and caused to be hereto affixed the seal of said city, this day of .”

The Bonds shall be signed by the Mayor and Treasurer, and have attached thereto the seal of this Corporation, with the attestation of the Clerk of Council; and the coupons or interest warrants shall be signed by the City Treasurer.

SEC. III. *And be it further ordained*, That the Treasurer shall number and keep a register of said Bonds.

SEC. IV. *And be it further ordained*, That the Mayor shall deliver the said Bonds to the President of the “Chattahoochee Bridge Company,” or his order, in payment of said subscription on receipt of scrip for the Stock subscribed, as the same shall fall due, for the construction of a Bridge over the Chattahoochee river, below the mouth of Vickery’s Creek, near Roswell.

WILLIAM EZZARD, Mayor.

Done in Council, October 24th, 1856.

H. C. HOLCOMBE, Clerk.

BONDS TO WILLIAM KAY.

AN ORDINANCE requiring the City Bonds heretofore ordered to issue to William Kay for land, to be each in the sum of two hundred and fifty dollars.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same,* That the Bonds to be issued by the Mayor in pursuance of a resolution empowering him to issue City Bonds to William Kay for the purchase money of fifteen acres of land adjoining the Fair Grounds, be each in the sum of two hundred and fifty dollars.

ALLISON NELSON, Mayor.

Done in Council, April 13th, 1855.

H. C. HOLCOMBE, Clerk.

BACON SPECULATORS.

AN ORDINANCE to compel non-residents to pay for the privilege of selling Produce, or Bacon, or Lard, in the city of Atlanta, brought to the same by Railroad Cars, and for other purposes.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same,* That all non-residents, who shall bring Produce of any kind, or Bacon, or Lard, to the city of Atlanta on the railroad cars, for sale, and shall sell the same in said city, shall pay the Clerk of the City Council sixty-five cents upon every hundred dollars of such sales for the privilege of selling such Produce, Bacon, or Lard in said city. This Ordinance not to apply to any non-residents who shall bring to said city for sale any article of Produce, or Bacon, or Lard of his own raising, he being a competent witness that he did or did not raise the same. Any non-resident failing to comply with the above Ordinance, upon conviction thereof before the Mayor or three members of Council, shall pay

a fine of not exceeding fifty dollars and costs, and upon failure to pay such fine and costs, shall be imprisoned in the Calaboose not exceeding thirty days.

SEC. II. All Ordinances and parts of Ordinances militating against this, be, and the same are hereby repealed.

LUTHER J. GLENN, Mayor.

Passed, April 2d, 1858.

C. C. HOWELL, Clerk.

CEMETERY.

AN ORDINANCE for the protection of the Grave-Yard and Graves.

Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same, That any person or persons, who shall in any wise disturb any grave, deface, pull up, or remove any tomb or tomb-stone, or any other thing put or placed there to mark a grave, or in any wise deface the same, or any paling or wall placed around the grave, or shall remove any plank, posts or timbers off of the Grave-Yard, such person or persons so offending, on conviction thereof before the Mayor and Council, shall pay a fine not exceeding fifty dollars and costs.

JOHN F. MIMS, Mayor.

Passed, April 1st, 1853.

H. C. HOLCOMBE, Clerk.

AN ORDINANCE to provide for the preservation of Tombs, Monuments, Grave-Stones, and other structures in the City Cemetery, and also for the protection of the shrubbery planted or growing in the same, and for other purposes.

SEC. I. *Be it ordained by the Mayor and Council of the City of Atlanta, and it is hereby ordained by authority afore-*

said, That any person who shall destroy, mutilate, deface, injure, or remove any Tomb, Monument, or Grave-Stone or other structure placed in the Cemetery in said city of Atlanta, or any fence, railing, or other work for the protection or ornament of any Tomb, Monument, Grave-Stone or other structure aforesaid, or for the ornament or protection of said Cemetery, or shall wilfully destroy, cut, break, remove, or injure any tree, shrub, or plant that may have been planted, or that may be growing in said Cemetery, or commit any other trespass within the limits of said Cemetery, shall, upon conviction thereof before the Mayor or three members of Council, pay a fine of not exceeding fifty dollars, and may be imprisoned in the Guard-House or Calaboose not exceeding thirty days, which money, when collected, shall be applied, one-half to the informer, and the other half by Council, under the direction of the Committee on the Cemetery, to the reparation and restoration of the property destroyed or injured as above. Any slave or free person of color, who shall violate any portion of this section, upon conviction thereof, if a free person of color, shall pay a fine of not exceeding thirty dollars, and upon failure to pay the same, with the cost, shall be hired out by the Marshal, at public outcry at the City Hall in said city, first giving two days' notice, until such hire shall be sufficient to pay such fine and cost, and shall, moreover, receive thirty-nine lashes from the Marshal of said city, and if a slave, to receive not exceeding seventy-five lashes from the Marshal.

SEC. II. All Ordinances and parts of Ordinances militating this, be, and the same are hereby repealed.

LUTHER J. GLENN, Mayor.

Passed, March 19th, 1858.

C. C. HOWELL, Clerk.

CELLAR DOORS.

AN ORDINANCE regulating Streets.

SEC. VII. Any person or persons who shall hereafter build or cause to be built a cellar door so as to obstruct

more than two feet on either side-walk on Whitehall street, or on any other business street, shall, on conviction before the Mayor or three members of Council, pay a fine of not exceeding fifty dollars and cost for each and every twenty-four hours such obstruction is permitted to remain, and any and all cellar doors now on the side-walks on either side of Whitehall street, which obstruct more than two feet of the side-walks, shall be removed by the person or persons owning the lot to which the cellar belongs, within sixty days of this time, and any person failing so to do, shall, on conviction of this offence, pay a fine of not exceeding fifty dollars and costs, for each and every twenty-four hours it shall remain unaltered thereafter.

AN ORDINANCE regulating Cellar Doors upon the Streets.

SEC. I. *Be it ordained by the Mayor and Council of the City of Atlanta, and it is hereby ordained by the authority of the same,* That any and all Cellar Doors, now on the side-walks on either side of any street in the city of Atlanta, which obstruct more than two feet of the side-walks, shall be removed by the person or persons owning the lot to which the Cellar belongs, within ten days of this time, and any person failing to do so, shall, on conviction of this offence, pay a fine of not exceeding fifty dollars and cost, for each and every twenty-four hours such cellar shall remain unaltered thereafter.

LUTHER J. GLENN, Mayor.

Passed, November 11, 1859.

C. C. HOWELL, Clerk.

CLERK OF COUNCIL.

AN ORDINANCE regulating the salaries of the Clerk, Treasurer, Marshal, Deputy Marshal, Police, Superintendent of Streets, Wells, Pumps, Cisterns, &c., Clerk of Market, Sexton and City Surveyor.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same,* That the Clerk of the city Council of Atlanta, shall be Receiver and Collector of Taxes, for said city, and shall, before he enters on the duties of his office, take the usual oath, give bond, with two or more good and sufficient securities, in the sum of twenty thousand dollars. (Remainder of the Section repealed.)

WM. EZZARD, Mayor.

Passed, January 27, 1857.

JAMES McPHERSON, Clerk.

GENERAL ORDINANCE.

SEC. IV. The Clerk shall attend all meetings of Council, and shall keep a fair and correct record of the proceedings of Council; he shall issue all licenses as hereafter pointed out, and all orders, summonses, notices, or other instruments which may be required of him by Council. (Remainder of Section repealed.)

J. NORCROSS, Mayor.

Passed April 24, 1851.

A. W. JONES, Clerk.

AN ORDINANCE regulating the duties of the Clerk of Council.

Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by authority of the same, That an Ordinance regulating ministerial Officers, Clerk, Marshal, Deputy, &c., passed on the 24th of March, 1854, be so altered and amended as to read, commencing at the tenth Section, "The Clerk shall keep the following Books and Accounts:

- "1. A book or rough sheets of minutes.
- "2. A book of neat and accurate minutes.
- "3. A book for recording all licenses issued.
- "4. An ordinance and covenant book.
- "5. A book for the receiving of tax returns.
- "6. A tax digest, showing the amount of tax.
- "7. A Police Docket.

"8. A book of charges, in which all cash items shall be entered as coming into the hands of the said Clerk; also an account of all monies paid to the city Treasurer.

"9. A Check-Book, in which shall remain a margin, showing the number, amount, date, for what purpose ordered, and to whom granted, in each case." All Ordinances or parts of Ordinances, conflicting with this, be, and the same are hereby repealed.

WM. M. BUTT, Mayor.

Passed, March 31, 1854.

H. C. HOLCOMBE, Clerk.

AN ORDINANCE to alter and amend An Ordinance regulating the salaries of Clerk of Council, Treasurer, Marshal, Deputy Marshal, Police, Superintendent of Streets, Wells, Pumps, and Cisterns, Clerk of the Market, Sexton, and City Surveyor.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same,* That the Clerk of Council shall receive for his services a salary of Twelve Hundred Dollars per annum, payable quarterly, without perquisites, and shall do and perform all such duties, as are now, or may hereafter be, required by the Laws and Ordinances of said city.

L. J. GLENN, Mayor.

Passed, January 24th, 1859.

C. C. HOWELL, Clerk.

CLERK OF MARKET.

AN ORDINANCE regulating the Market and Market-House.

SEC. I. There shall be a Clerk of Market annually elected, who shall, before he enters on the duties of his office, give bond and security in the sum of five hundred dollars for the faithful performance of the same, and shall receive such compensation for his services as Council shall prescribe.

SEC. II. It shall be his duty to superintend the Market during Market hours; to collect and pay over to the Clerk of Council all moneys received in his department at the end of each month; to condemn all unsound, impure, and unwholesome provisions brought to market for sale, and to have the same burnt; to decide all disputes between buyer and seller; to regulate all weights and measures in the manner pointed out by the Ordinances of this city.

SEC. III. He shall have the Market House within the railing, and for at least ten feet without the same, swept clean every day within three hours after the close of the Market; he shall see that all animals, carts, wagons, and other carriages are properly arranged during Market hours; it shall be his duty to have the Market bell rung at least one minute at the opening and closing of Market hours; he shall maintain good order and regularity in said Market, for which purpose he is required to call on the Marshal or Police of said city, and every by-stander, to aid and assist him; and every person who shall fail or refuse to aid the Clerk when required as aforesaid, shall, on conviction, pay a fine of not exceeding fifty dollars and costs.

SEC. IV. If said Clerk shall fail or refuse to perform the duties of said office as required by the Ordinances of said city, he shall, upon conviction, pay a fine of not exceeding fifty dollars and costs for every such offence, and may be dismissed from office, as the Mayor and Council may think best.

AN ORDINANCE regulating ministerial offices, Clerk, Marshal, Deputy, &c.

SEC. V. *And be it further ordained*, That the Clerk of the Market House shall give bond, as required by the Market Ordinances, and shall receive for his services the perquisites allowed by said Ordinances.

AN ORDINANCE regulating the salaries of Clerk of Council, Treasurer, Marshal, Deputy Marshal, Police, Superintendent of Wells, Pumps, Cisterns, &c., Clerk of Market, Sexton, and City Surveyor.

SEC. VII. *Be it further ordained*, That the Clerk of the Market, Sexton, and City Surveyor shall receive the same pay as now allowed by Council.

WILLIAM EZZARD, Mayor.

Passed, January 27, 1857.

JAMES McPHERSON, Clerk.

AN ORDINANCE respecting the Clerk of the Market, and limiting his privileges.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same*, That the Clerk of the Market shall not, during his continuance in office, be engaged, either directly or indirectly, in butchering and selling meats of any kind, within the corporate limits of said city; any Clerk of the Market violating this Ordinance, upon conviction thereof, shall pay a fine of ten dollars for every such violation. And upon conviction of the second offence, shall be fined not exceeding fifty dollars, and be, by said Mayor and Council, dismissed from office.

SEC. II. *Be it further ordained by the authority aforesaid*, That all Ordinances and parts of Ordinances in conflict with the foregoing be, and the same is hereby repealed.

LUTHER J. GLENN, Mayor.

Passed, January 29th, 1858.

C. C. HOWELL, Clerk.

CITY COUNCIL.

GENERAL ORDINANCE.

SEC. XLIII. Any member of Council shall have the same power to summon persons, which is delegated to the Marshal, to aid in the suppression of any affray, breach of the peace or other outrage. Any person refusing to obey such summons, shall be subject to the same penalty as if summoned by the Marshal.

J. NORCROSS, Mayor.

Passed, April 25th, 1851.

A. W. JONES, Clerk.

DRAYS.

AN ORDINANCE regulating Drays.

SEC. I. Any person having or using any Dray, Wagon, or other vehicle drawn by a horse or other animal for transporting goods, wares or merchandise, or any other thing to or from either of the Depots or other place, in this city, for hire, (except those who haul wood or produce into the city,) shall first apply to the Clerk of Council and obtain a license, and for any vehicle drawn by one horse or other animal, he, she, or they shall pay ten dollars, and by two horses, or other animals, twenty dollars and Clerk's fee.

SEC. II. Any person who shall haul or Dray for hire, (except in cases of building and removal from one part of the city to another,) without having obtained license, as aforesaid, shall, upon conviction under this Ordinance, pay a fine of one dollar for each load hauled or drayed, and costs of trial.

SEC. III. Any person having and using a licensed Dray or other vehicle, who shall through ill-will or obstinacy, or without sufficient cause, refuse to dray or haul, where the money is tendered, when requested by any citizen, shall, on conviction, pay the sum of one dollar for such refusal, in each case reported.

SEC. IV. (See amendment of this Ordinance.)

SEC. V. Any merchant or other person who shall employ any team of horses or other animals, or horse or other animal and vehicle, to haul any goods, wares, merchandise, or other thing to or from any place in this city, for which there is no license, (except materials for building and improving lots, and persons moving with their household furniture from one part of the city to another,) shall, upon conviction, pay a fine of not exceeding five dollars and costs for each offence.

AN ORDINANCE amendatory of An Ordinance regulating Drays.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same,* That from and after the passage of this Ordinance, the fourth section of the Ordinance of which this is amendatory, shall be so amended as to read as follows: And no person having a license for a Dray shall charge and collect more than the following rates: for each hogshead of Molasses, fifty cents; Sugar in hogsheads, less than thirteen hundred pounds, twenty-five cents; over that amount, thirty cents per load; Flour, per barrel, four cents; in sacks, per load of eighteen hundred pounds, thirty cents; Sugar in barrels, four cents each; Potatoes and Onions, three cents per barrel; Salt, per sack of three bushels, three cents; Corn, in sacks of two bushels, one and one-half cents per sack, Wheat, per sack of two bushels, two cents; Whisky, Rum, Gin, Brandy, and all liquids not exceeding fifty gallons, six cents per barrel; Molasses and Sirup in barrels, ten cents per barrel; Cotton per bale, six and one-fourth cents; Lime in hogsheads, twenty-five cents per hogshead; per barrel, six and one-fourth cents; Bacon, per hogshead, and not exceeding nine hundred pounds, fifteen cents; over one thousand pounds, twenty cents; Rice in casks, fifteen cents each; Boxes, Bales, and all other articles not enumerated in the above list, per load of eighteen hundred pounds, thirty cents; of nine hundred pounds per load, twenty cents; Bran, Hay, and other light articles, thirty cents, for a two-horse load; and twenty cents for a one-horse load; for removing Pianos, Safes, and all such costly articles, also the removing of parties and plunder from one portion of the city to another,

the draymen or owners of Drays, shall be allowed to make their own contracts and charges for the same.

SEC. II. *And be it further ordained by the authority of the same,* That all Ordinances and parts of Ordinances not in conflict with the foregoing Ordinance, be, and the same is hereby declared to be in full force.

WILLIAM EZZARD, Mayor.

Passed, March 2d, 1860.

C. F. WOOD, Clerk.

EXHIBITIONS.

AN ORDINANCE for the granting of license to Showmen, Equestrians.

SEC. I. *Be it ordained by the Mayor and Council of Atlanta, and it is hereby ordained by the same and their authority,* That all Itinerant Show-masters, who shall wish to exhibit within the corporate limits of Atlanta, any Show, riding, tumbling, animals, slight-of-hand, legerdemain, or tricks of any kind, or any exhibition for pay, shall first apply to the Mayor, or, in his absence, three members of Council, for permit or license, and for which each of them shall pay a sum of not exceeding fifty dollars for each day's performance, and Clerk's fees, and if any such Showman, as aforesaid, shall perform or exhibit without such license, the Clerk shall issue execution for fifty dollars for each day's performance, and which shall be collected as other fines.

SEC. II. Any Organ grinders or other street muscians, shall pay five dollars a day and Clerk's fees, and on failure to procure such license, the same to be collected as other fines.

AN ORDINANCE Granting License to Theatrical and other Public Exhibitions.

SEC. I. *Be it ordaine by the Mayor an Council of the city of Atlanta, and it is hereby ordained by authority of the*

same, That all itinerant Show-masters, who shall wish to exhibit within the corporate limits of said city, any performance of comedy, tragedy, farce, any riding, tumbling, slight-of-hand, legerdemain or tricks of any kind, or exhibition of animals or other kind of shows for pay, shall first apply to the Mayor, or, in his absence three members of Council, for a license, and for which each and every one so applying, shall pay a sum of not exceeding fifty dollars for each day's performance, and Clerk's fees; and if any showman, exhibitor or actor, as aforesaid, shall perform or exhibit without such license, he, she, or they, shall be arrested and carried by the Marshal or Deputy Marshal, before the Mayor or three members of Council, and be fined in a sum not exceeding fifty dollars, and costs, for each day's performance.

SEC. II. Nothing in this Ordinance shall prevent Concerts, either vocal or instrumental (other than in Negro character,) from performing free.

SEC. III. All Organ grinders, singers, and other street music, shall pay five dollars a day, and on failure to procure license, shall be summoned before the Mayor or three members of Council, and fined in any sum not exceeding fifty dollars, and costs.



FIRES.

AN ORDINANCE to guard against danger from fire.

Be it ordained by the Mayor and Council of the city of Atlanta, That from and after the passage of this ordinance, no person shall be permitted to build and fire any open plank kiln or kilns, within one hundred yards of any house, or fifty yards of any fence in the incorporate limits of said city, and any person violating said Ordinance, shall, on conviction, be fined not exceeding fifty dollars for each day such kiln is kept burning.

J. NORCROSS, Mayor.

Passed, July 18, 1851.

A. W. JONES, Clerk.

AN ORDINANCE to guard against damage by fires, and for other purposes.

SEC. I. It shall be the duty of the Marshal and Deputy Marshal, to make frequent examinations into the condition of the stove pipes and chimneys in this city; and if either officer shall deem their condition a source of danger from fire, he shall require the tenant or occupant of the house where such stove-pipe or chimney is, to remedy the same within twelve hours; and on failure or refusal of such tenant or occupant, such offender shall be liable to a fine of not exceeding fifty dollars. And if, from the evidence, the court believes the condition of such chimney or stove-pipe dangerous, the court shall order the alteration to be made at the cost of the occupant.

AN ORDINANCE for the security, welfare and interest of the city of Atlanta, and the more effectually to secure and protect the property of the citizens from danger of fire, by prohibiting the erection of wooden buildings in certain parts of the city herein specified.

SEC. I. *Be it ordained by the Mayor and Council of the City of Atlanta, and it is hereby ordained by authority of the same,* That no person or persons shall, after the passage of this ordinance, build or erect, or cause to be built or erected, any house or houses for any purpose whatever, the walls of which shall be constructed of wood, on any Street or Streets within the following boundaries, to wit:

On Whitehall Street, between the intersections of said Street with Mitchell and Marietta Streets; on Mitchell, Hunter and Alabama Streets, at any point between Loyd and Forsyth Streets; on Pryor Street, between Alabama and Mitchell Streets; on Decatur Street, West of Collins Street, East of Market Street; on Market Street, South of Walton Street, or on Peach-Tree Street, between Marietta Street, and the junction of Market Street and Peach-Tree Street.

SEC. II. *Be it further ordained,* That any person or persons, who shall be convicted before the Mayor or three members of Council, of a violation of the first section of this ordinance, shall be liable to pay such fine as may be ad-

judged by said Mayor or three members of Council, not exceeding fifty dollars and costs.

SEC. III. *Be it further ordained*, That any person or persons, who shall be convicted as provided in section second of this ordinance, shall be subject to a fine not exceeding fifty dollars and costs, for every three days that he, she or they shall permit such house to remain in violation of this ordinance.

SEC. IV. *And be it further ordained*, That all Ordinances and parts of Ordinances militating against Ordinance be, and the same are hereby repealed.

WILLIAM EZZARD, Mayor.

Done in Council, December 7th, 1857.

JAMES McPHERSON, Clerk.

AN ORDINANCE the better to guard against Fires.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by authority of the same*, That no Blacksmith Shop shall be erected within one hundred feet of any dwelling-house, store-house or other buildings of value, within the corporate limits of said city; nor shall any building be occupied as such, unless the same be made fire-proof. Any person erecting a Blacksmith Shop, or employing a building as a Blacksmith Shop, in violation of this section, may be fined in a sum of not exceeding fifty dollars for every week such building shall be suffered to remain after notice to remove the same, unless the occupant shall desist from using it for that purpose.

SEC. II. *Be it further ordained*, That all Ordinances militating against this Ordinance be, and the same are hereby repealed.

WILLIAM EZZARD, Mayor.

Done in Council, January 1st, 1858.

JAMES McPHERSON, Clerk.

AN ORDINANCE to amend An Ordinance passed on the seventh day of December, in the year 1857, entitled "An Ordinance for the security, welfare and interest of the city of Atlanta, and more effectually to secure and protect the property of the citizens from danger of fire, by prohibiting the erection of wooden buildings in certain parts of the city herein specified."

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same,* That it shall not be lawful, after the passage of this Ordinance, for any person to cover any building he may erect on any of the streets mentioned in the Ordinance of which this is amendatory, with any other material except iron, tin, slate, tiles, or something which shall be deemed and considered fire-proof.

SEC. II. *Be it further ordained,* That any person violating this Ordinance, shall be liable to the same penalties inflicted upon those who may be guilty of a violation of the Ordinance of which this is amendatory.

SEC. III. *Be it further ordained,* That all Ordinances not conflicting with this Ordinance, be, and the same are continued in full force.

WILLIAM EZZARD, Mayor.

Passed, March 10th, 1860.

C. F. WOOD, Clerk.

FIRE DEPARTMENT.

AN ORDINANCE to provide and regulate the Fire Department of the city of Atlanta, and for other purposes.

WHEREAS, the Fire Companies of the city of Atlanta have organized a Fire Department in said city, for the purpose of rendering the labors of said Companies more certain and efficient upon all occasions requiring their services—

SEC. 1. *Be it therefore ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same,* That from and after the passage of this Ordin-

ance, that any citizen of Atlanta, at any and all fires that may hereafter occur in said city, at which he may be present, shall be subject to the control and direction of the officer in command on the occasion, and in case he shall refuse to comply with such order and direction, and being reported, he shall be fined by the Mayor, or any three members of Council, in a sum not exceeding thirty dollars.

SEC. II. *Be it further ordained*, That the Mayor and City Council shall, at the third meeting in this month, and annually thereafter, elect two Fire Wardens, whose duty it shall be to attend each Fire that may occur, in said city, and who shall unite and co-operate with the officers mentioned in the Constitution of said Fire Department, in deciding upon the propriety or necessity of blowing up or destroying any house or building, for the purpose of arresting the fire, in which consultation they shall each be entitled to one vote.

WM. EZZARD, Mayor.

Passed, February 10, 1857.

C. F. WOOD, Clerk.



GENERAL PASSENGER DEPOT.

AN ORDINANCE to prevent the sale of immoral books and to suppress huckstering in fruits, and other articles under and about the Car-shed, or General Passenger Depot in this city, and for other purposes.

SEC. I. *Be it ordained by the Mayor and Council of the City of Atlanta, and it is hereby ordained by authority of the same*, That from and after the twenty-ninth day of July, instant, it shall not be lawful for any person to peddle or offer for sale, under the general passenger shed, or on the platform attached to the same, in this City, (except in the saloon connected with said shed or depot) any fruits, watermelons, nuts, cigars, beverages, ice cream, candies, cakes, pastries or other article whatever, except newspapers and books of a moral tendency. All offenders against the provisions of this section, shall be subject to a fine of not exceeding fifty dol-

lars, or imprisonment in the Callaboose for a term not exceeding forty-eight hours for each and every offence.

SEC. II. *Be it further ordained*, That any person or persons, who shall be convicted of selling or offering for sale in any part of this City, books, pamphlets, newspapers, engravings, lithographs or pictures of an immoral or obscene character, shall be fined in a sum not exceeding fifty dollars and costs for each and every offence.

SEC. III. *And be it further ordained*, That it shall not be lawful for any person to appear under or about said passenger shed to drum for or solicit, in a rude, boisterous, or disorderly manner, patronage for any Hotel, Boarding or Eating House, on the arrival of any of the trains in this City. Any white person violating this section shall, upon conviction, be fined in a sum not exceeding twenty dollars for each offence; if a person of color, he or she shall receive not exceeding thirty-nine lashes.

SEC. IV. *And be it further ordained*, That the Marshal and Police, during their several hours of duty, shall be vigilant in the discovery and arrest of all persons who may offend against this ordinance, in any particular, and bring him, her or them to answer for the same.

SEC. V. *And be it further ordained*, That all ordinances and parts of ordinances militating against this ordinance, be, and the same are hereby repealed.

WILLIAM EZZARD, Mayor.

Done in Council, July 25, 1856.

H. C. HOLCOMBE, Clerk.



GUNPOWDER.



AN ORDINANCE to guard against the danger of Fires and for other purposes.

SEC. III. No merchant or other person shall, within the City of Atlanta, keep in any house, except in public warehouses, more than one keg of powder at a time, and which shall be kept in a tin can, and for a violation of this ordi-

nance, the offender may be fined not exceeding fifty dollars and cost of suit.

AN ORDINANCE for the better protection of Firemen and citizens, against loss of life or limb by explosion of Powder in burning of buildings, in the city of Atlanta, and for other purposes of safety.

SEC. I. Fifteen days after the passage of this ordinance, it shall not be lawful for any person or persons to sell Gunpowder, without first having procured a license of the Clerk of Council, who shall receive a fee of fifty cents for each and every license granted for the term of one year.

SEC. II. When any person desires to sell Powder, as a part of his or their business, all such persons shall first petition Council for a license, and accompany such petition with the names of three of his or their neighbors, where Powder is to be sold, signifying their willingness; and such applicant shall give bond and security in the sum of one thousand dollars, that he will not violate any Ordinance relating to the sale of powder in Atlanta.

SEC. III. When application is made in writing to Council, it shall be competent for the Board to grant or refuse license, if in their opinion the applicant or bondsman are not responsible, or in any way disqualified for such trade or traffic in Gunpowder.

SEC. IV. When the provisions of this Ordinance have been complied with, the Clerk of Council shall issue license according to the first Section of this Ordinance.

SEC. V. Whoever shall violate the letter or spirit of this Ordinance, shall, on conviction before the Mayor or three members of Council, pay a fine of fifty dollars and cost of trial, for each and every day the party so convicted shall have violated any provisions in this Ordinance.

L. J. GLENN, Mayor.

Passed, December 23d, 1859.

C. C. HOWELL, Clerk.

AMENDMENT.

Resolved, That all persons licensed to sell Powder, shall be required to place a sign over their place of business as follows: "Licensed to sell Powder."

LUTHER J. GLENN, Mayor.

Passed, December 23d, 1859.

C. C. HOWELL, Clerk.



GUN-POWDER MAGAZINE.

AN ORDINANCE regulating Gunpowder.

SEC. II. There shall be a place provided by the authority of the Mayor and Council of said City, where each and every person shall deposit his, her, or their powder; and that the Marshal and Deputy Marshals have each a key of said Magazine, and shall keep a register of the powder received and re-delivered to the owner or his agent. (Remainder of the Section repealed.)

ALLISON NELSON, Mayor.

Passed, January 26th, 1855.

H. C. HOLCOMBE, Clerk.



AN ORDINANCE to provide for the Storing of Powder in the Magazine, and duties of Officers, &c.

SEC. II. *And be it further ordained*, That all Powder, except as above specified, shall be kept in the Magazine, and the Marshal and Deputy Marshals shall each have a key to the Magazine, and shall register and keep all powder so sent to the Magazine, and deliver the same on application, and shall receive ten cents for receiving and delivering out each keg, to be paid by the owner.

SEC. III. *And be it further ordained*, That all Ordinances and parts of Ordinances militating against this Ordinance, be, and the same is hereby repealed.

WM. EZZARD, Mayor.

Passed, July 24th, 1857.

JAMES McPHERSON, Clerk,

AN ORDINANCE in addition to the one providing for the Storage of Powder in the Magazine, and for other purposes.

Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by authority of the same, That the Mayor of said city be, and he is hereby authorized to contract with any person for the keeping of the Magazine, in place of the Marshal or his Deputy, as now provided for by Ordinance; and that such person so contracted with, shall be subject to the Ordinances already in force upon the subject of the same.

SEC. II. All Ordinances or parts of Ordinances in conflict with the foregoing, be, and the same are hereby repealed.

L. J. GLENN, Mayor.

Passed, April 30th, 1858.

C. C. HOWELL, Clerk.



HEALTH.

AN ORDINANCE to preserve the health of the citizens, and to remove causes likely to endanger the same, and for other purposes.

SEC. I. There shall be a Board of Health appointed for the city, consisting of five persons, and they shall have full power and authority to require the owner, or any other occupant of a lot in the city to remove or remedy anything on said lot, which in the opinion of the Board may endanger the public health, and on failure of the owner or occupant to remove or remedy the same, the Board shall direct the Marshal to do so at the cost of said owner, or occupant, and it shall be their duty to make such suggestions as they may deem advisable to the Council, to preserve the public health.

SEC. II. Any owner or occupant of any lot who shall suffer to remain on his or her lot, owned or occupied by him, or her, any decayed flesh, or vegetables, or any other thing which may annoy his or her neighbors, or tend to affect the health of any citizen, shall, on complaint to the Marshal, be

required to remove the same within six hours, and on failure to remove or remedy the same in six hours, if it can be done, (and the possibility to be decided by the Mayor, or three members of Council,) shall, on conviction, pay a fine of not exceeding fifty dollars and costs for every six hours it is suffered to remain; and if it be adjudged as a nuisance, in the manner prescribed by the statute, the Marshal shall in that case, by order, abate the same, and the offender shall pay the cost of the trial and abatement. And it is hereby made the duty of the Marshal and Deputy Marshal, to make frequent examinations (more especially in the spring, summer and fall months) into the condition of the lots, yards and fences of the citizens, to see if they are kept in a clean and healthy state, and if he or they shall find anything which may become a nuisance, or produce sickness, he shall notify the person or persons on whose premises the same may be found, to remove the same in six hours, and on failure or refusal on their part to do so, shall be proceeded against in the manner prescribed.

SEC. III. No person shall keep a butcher pen or slaughter house within three hundred yards of the dwelling or business house of any citizen of said city without permission of the Mayor and Council for such purpose, and any person violating this Section of the Ordinance shall, on conviction, pay a fine of not exceeding fifty dollars and costs.

SEC. IV. Whenever the Marshal or Deputy Marshal shall see or be informed of any dead carcass within the incorporate limits of Atlanta, which may annoy any person, it shall be the duty of said officer to notify the owner thereof to remove the same in four hours, and on failure or refusal of said owner so to do, he or they shall, upon conviction, pay a fine of not exceeding twenty dollars and costs of removal; and in case the owner cannot be found, said officer shall remove the same immediately and report the same to Council, and the Marshal or Deputy Marshal shall receive for the removal of a horse, cow or calf, the sum of one dollar, and for every dog, hog or cat, fifty cents which the owner shall pay, and if no owner can be found, the same shall be paid by the Treasurer of the city.

SEC. V. It shall be the duty of every Hotel keeper, Boarding House keeper and other citizen within this city, to give immediate notice to the Board of Health, of any case of contagious disease of a dangerous character which may

occur in his or her Hotel, Boarding House or other dwelling, and the Board of Health shall report forthwith to Council, and if any Hotel keeper, Boarding House keeper or other citizen shall fail or neglect to report, as aforesaid, any and all such cases of said disease as may occur or be at his or her Hotel, Boarding House or place of dwelling, each and every offender shall, on conviction, be liable to a fine of not exceeding fifty dollars and costs.

AN ORDINANCE to preserve the Health of the citizens, and to remove causes likely to endanger the same, and for other purposes.

SEC. IV. All privies within this city shall have vaults, three feet deep from the surface of the ground, and shall be kept well limed and walled or weather-boarded to the ground, and the actual tenant or occupant of the lot or land upon which the privies are situated, shall be liable to a fine of not exceeding fifty dollars and costs, for a violation of this section of the ordinance.

AN ORDINANCE amendatory of An Ordinance entitled
"An Ordinance to preserve the health, &c."

SEC. I. All privies within the corporate limits of the City shall be kept clean and well limed, or served with other disinfecting agents, and the actual tenant or occupant of all lots upon which privies are situated shall be held responsible for the cleanliness of the same.

SEC. II. The Marshal or Deputy Marshal shall, during the Spring and Summer months, make weekly examinations into the condition of each, and whenever, in his or their judgment, this section is infringed he shall notify the owner, tenant or occupant of said lot to put said offensive privy forthwith in order, and in case of refusal or neglect on the part of the said owner, tenant or occupant to comply with such notice within six hours thereafter, he, she or they shall be fined in a sum not exceeding fifty dollars and costs for each and every offence, and the further sum of not exceeding ten

dollars for every twelve hours such privy shall remain in an offensive condition.

WILLIAM EZZARD, Mayor.

Done in Council on the 27th June, 1856.

H. C. HOLCOMBE, Clerk.



HOGS.

AN ORDINANCE regulating Hogs.

Be it ordained by the Mayor and Council of the city of Atlanta, That from and after the 21st instant, whenever the Marshal or Deputy shall find any hog or hogs running at large in the incorporate limits of said city, it shall be his duty to take up and put said hog or hogs in pens, and, after giving ten days notice in four of the most public places in said city, to sell the same before the Council-room door, at public outcry, to the highest bidder; one-half the proceeds of said sale to go to said Marshal, and the remainder to be paid into the City Treasury: *Provided,* That the owner of said hog or hogs shall be entitled to the same by proving property and paying the sum of one dollar and all expenses.

(At a meeting of Council on the 23d of May, the operation of the above ordinance was suspended till the 15th of December next.)

J. A. HAYDEN, President pro tem.

Passed, May 9, 1851.

A. W. JONES, Clerk.

AN ORDINANCE re-enacting an Ordinance passed May 9, 1851, with regard to the removal and sale of hogs running at large in the corporate limits of the city of Atlanta.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same,* That an ordinance passed on the 9th day of May, in the year 1851, for removing any hog or hogs running at large in this city, and providing for the disposition

and sale of the same be amended, and that, instead of being sold at the Council-room door, such hog or hogs shall be sold at the place in which it or they shall be confined; and that the owner or owners of said hog or hogs, pay the sum of one dollar per head for each hog, and expenses, when claims are interposed.

WILLIAM M. BUTT, Mayor.

Done in Council, March 24th, 1854.

H. C. HOLCOMBE, Clerk.

AN ORDINANCE prohibiting Hogs running at large in the city of Atlanta.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same,* That any person who shall hereafter suffer his or her hog or hogs to run at large in any street or public place in said city, shall, on conviction before the Mayor or three members of Council, pay a fine of not exceeding fifty dollars and costs of trial.

SEC. II. Any person who shall let down the fence or any bars, or open any gate of any enclosures, where any hog or hogs may be confined by virtue of an ordinance of said city, for the purpose of permitting or allowing said hog or hogs to escape therefrom, shall, on conviction before the Mayor or three members of Council, pay a fine of not exceeding fifty dollars and costs of trial.

SEC. III. It shall be the duty of the officers of said city to be diligent in the enforcement of this ordinance.

WILLIAM M. BUTT, Mayor.

Done in Council, May 19, 1854.

H. C. HOLCOMBE, Clerk.

AN ORDINANCE privileging owners of Hogs captured and empounded to redeem them on certain conditions.

SEC. I. *Be it ordained by the Mayor and Council of the City of Atlanta, and it is hereby ordained by the authority of the same,* That the citizens of Fulton County, living without the incorporation of this city, have the privilege of redeeming their hogs when captured and empounded as re-

quired by the ordinances of this city, by coming forward and paying expenses of feeding, upon ten days' notice as required by the original ordinance removing them from the streets.

SEC. II. *Be it further ordained*, That it shall be the duty of each person claiming any hog or hogs under this ordinance, to furnish to the Marshal the peculiar marks or brands of his hog or hogs.

ALISON NELSON, Mayor.

Done in Council, February 23, 1855.

H. C. HOLCOMBE, Clerk.



INSPECTOR OF PACKING.

AN ORDINANCE to create an Office of Inspection in the city of Atlanta, of Pork, Beef, Flour, Grain, and all other things packed in said city for the purpose of shipping to other points for sale; to provide for the election of said officer, prescribe his duties and fees, and for other purposes.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same*, That from and after the passage of this ordinance, there shall be created in the city of Atlanta the office of Inspector of Pork, Beef, Flour, Grain, and all other things packed in said city for the purpose of shipping to other parts for sale.

SEC. II. *Be it further ordained by the authority of the same*, That said Mayor and Council shall, at their first regular meeting in the month of April, 1860, and annually thereafter, proceed to elect some suitable person to fill said office, whose duty it shall be, when called on by the owner or owners of any of the above named articles, to proceed to inspect the same, and see that it is in good order, and in a sound and merchantable condition; and when he has so inspected the same, he shall place upon the article or articles so inspected, the following brand: "Atlanta, Georgia, ——— quality of Flour, Fine, Superfine, Extra and Family,"

and shall receive for his services the following fees, to wit: On each barrel Beef, five cents; on each barrel Flour, two cents; on each sack Flour, one cent; on each sack Corn, one cent—on each barrel, five cents; and any other articles in proportion, to be paid by the owner of said article inspected by said Inspector; the article or articles so inspected to be bound for the inspection fees and all costs that may accrue in the collection of the same.

SEC. III. *Be it further ordained*, That all Ordinances and parts of Ordinances, militating against this Ordinance, be, and the same are hereby repealed.

WILLIAM EZZARD, Mayor.

Passed, March 16, 1860.

C. F. WOOD, Clerk.



MARSHAL AND DEPUTY MARSHAL.



The Marshal shall, before he enters upon the discharge of the duties of his office, give bond in the sum of three thousand dollars, with two good and sufficient securities, conditioned as specified in the charter incorporating the city of Atlanta; and the said Marshal shall receive for his salary the sum of five hundred dollars, and is hereby required to keep and use a horse in the discharge of the duties of his office.



GENERAL ORDINANCE.

SEC. II. The Deputy Marshal shall, before he enters upon the discharge of the duties of his office, give bond with two and sufficient securities in the sum of two thousand dollars, and shall receive for his salary the sum of three hundred dollars per annum. And upon the conviction of any offender, against any section of this ordinance or the laws of the State, the Marshal and Deputy shall, for each conviction, receive such costs and fees as are allowed constables in this State, under the Statutes regulating constable's fees. All of which costs shall be taxed in a bill by the Clerk.

SEC. III. And upon a violation of any section of this or-

dinance, or any ordinance which may be passed by the Mayor and Council hereafter, it shall be their duty to report such offender to the Mayor, and in his absence three members of Council, and shall see the judgement of said Mayor or Council executed.

J. NORCROSS, Mayor.

Passed, April 25th, 1851.

A. W. JONES, Clerk.

AN ORDINANCE regulating ministerial Officers.

SEC. I. *Be it ordained by the Mayor and Council of Atlanta*, That the Marshal, before he enters on duty, shall give bond with good and sufficient security, in the sum of two thousand dollars, and shall receive for his services the sum of four hundred dollars, and such costs for serving summons, warrants and all precepts of the Mayor and Council as are allowed constables by the laws of this State.

SEC. II. The Deputy Marshal shall, before he enters on the duties of his office, give bond and security, in the sum of two thousand dollars, and shall receive for his services four hundred dollars, and such costs for serving precepts of the Mayor or Council as are allowed Constables, and the Marshal and Deputy Marshal shall do and perform all and singular the duties required of them by the ordinances of the city, and shall see to the enforcement of the same, and for a failure so to do shall be dealt with as Council shall deem best.

JOHN F. MIMS, Mayor.

Passed, January 21st, 1853.

H. C. HOLCOMBE, Clerk.

GENERAL ORDINANCE.

SEC. LXII. It shall be the duty of the Marshal to be diligent and faithful in the discharge of the various duties prescribed to him by the various sections of this ordinance, and the ordinances which may hereafter be passed by the Mayor and Council. And on complaint of any person, on oath, that the Marshal neglects or refuses to discharge the duties of his office faithfully and vigilantly, it shall be the duty of the Clerk of Council to summon the Marshal, in writ-

ing, to appear before the Mayor and Council, to answer said complaint, and upon conviction, they shall adjudge such penalty as they deem fit and expedient in the premises, either a fine or dismissal from office, or both at their discretion, and if it shall appear to the Mayor and Council that such complaint is groundless or frivolous, in this case they shall order the said complainant to pay all costs of trail.

J. NORCROSS, Mayor.

Passed, 25th April, 1851.

A. W. JONES, Clerk.

AN ORDINANCE creating the Office of Deputy Marshal.

Whereas, From the increase in population of the city, and its extension, a Marshal and one Deputy Marshal cannot perform the duties imposed upon them ;

SEC. I. *Therefore, be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same*, That an additional office of Deputy Marshal be created, and that said Officer give bond with good security, in the sum of twenty-five hundred dollars, and receive for his salary the sum of five hundred dollars, and the same costs as are allowed the Marshal of said city.

SEC. II. Said Officer may, at any time, be removed from office by the Mayor and Council, for want of capacity and failure to perform the duties of his office.

ALISON NELSON, Mayor.

Passed, January 26th, 1855.

H. C. HOLCOMBE, Clerk.

AN ORDINANCE regulating the salaries of Clerk of Council, Treasurer, Marshal, Deputy Marshal, &c.

SEC. III. *And be it further ordained*, That the Marshal shall, before he enters on the duties of his office, take and subscribe the usual oath, and give bond and security in the sum of five thousand dollars, and shall receive for his salary the sum of seven hundred dollars per annum, payable quarterly, and such fees as may be allowed by Council, and shall perform all such services as the Ordinances of said city may require.

SEC. IV. *And be it further ordained*, That the Deputy Marshal shall be Captain of the Police, and have under his control all the Police of the city; he shall take the usual oath, and give bond in the sum of two thousand dollars; and shall receive for his services seven hundred dollars per annum, payable quarterly, and shall do all the duties the Ordinances of said city may require of him from time to time.

WILLIAM EZZARD, Mayor.

Passed, January 27, 1857.

JAMES MCPHERSON, Clerk.

AN ORDINANCE to regulate the duties of Marshal, Deputy Marshal, and Police of the City of Atlanta.

SEC. I. *Be it ordained by the Mayor and Council of the City of Atlanta, and it is hereby ordained by the authority of the same*, That it shall be the duty of the Marshal to attend to the collection of fi. fas. and other matters placed in his hands for said city; also to attend all meetings of Council, light the room for the same, and generally attend said meetings; to attend the Mayor's and City Courts, and do all such things as the said Courts may require, and he shall also see to the enforcement of all the laws and Ordinances of said city as may be enacted or pointed out to him from time to time.

SEC. II. *Be it ordained by the Mayor and Council of Atlanta*, That the Deputy Marshal have the control of the first and second Lieutenants of Police and the Night Police; he shall be on duty at all hours in the day, and until bell-ringing at night, and be subject to the orders of the Mayor or Police Committee.

AN ORDINANCE to alter and amend an Ordinance entitled an "Ordinance regulating the salaries of Clerk of Council, Treasurer, Marshal, Deputy Marshal, Superintendent of Streets, Wells, Pumps and Cisterns, &c., Clerk of Market, Sexton, and City Surveyor, and for other purposes."

SEC. III. *Be it further ordained*, That the Marshal and

Deputy Marshal of said city, shall each receive for their services, a salary of six hundred dollars per annum, payable quarterly, and shall each be allowed such perquisites as attach to the office of either, under and by virtue of the Ordinances of said city, and shall do and perform the various duties already, or which may be enjoined on each, by the Laws and Ordinances of said city. The Deputy Marshal shall be Captain of the Police, and have under his control all the Police of the city, as well as the Lieutenant of said Police.

SEC. V. *Be it ordained by the authority aforesaid,* That the Deputy Marshal shall be on duty at all hours of the day, and until half-past ten o'clock at night, and shall be subject to the orders of the Mayor and Police Committee.

LUTHER J. GLENN, Mayor.

Passed, January 26th, 1858.

JAMES McPHERSON, Clerk.

AN ORDINANCE to amend the third Section of an Ordinance passed on the 26th day of January, 1858, so far as to alter the Salary of Marshal and Deputy Marshal of said city.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta,* That the Marshal and Deputy Marshal of said city shall each receive for their salaries, a salary of seven hundred dollars per annum, payable quarterly, and shall also be allowed such perquisites as attach to their respective offices by virtue of the Ordinances of said city now of force.

SEC. II. *And be it further ordained,* That all Ordinances, or parts of Ordinances, militating against this Ordinance, be, and the same are hereby repealed.

WM. EZZARD, Mayor.

Passed, February 3d, 1860.

C. F. WOOD, Clerk.

MARKET AND MARKET HOUSE.

AN ORDINANCE for the regulation of the Market and Market House.

SEC. V. The stalls in the Market House shall be rented to the highest bidder on the first Saturday in February of each year, between the hours of ten and three o'clock, for the term of nine months, the rent payable monthly in nine equal installments; provided, however, that no person shall be permitted to rent more than one stall. And the orther three months any and all persons may sell meat at the Market House and any other place in said City free of charge. No person shall locate in any house, booth or stall other than the Market House for the purpose of selling meats during the months aforesaid. Persons renting stalls shall be liable for all fees and rents agreeably to this ordinance, and for the payment of which each person shall give bond and security in the sum of one hundred dollars. Any person renting a stall who shall neglect or refuse to pay the Clerk of the Market any and all dues, rents and demands required by this ordinance shall be deprived of the stall by him or her rented, and it shall be the duty of the Market Committee forthwith to rent the same at the risk of the defaulting renter.

SEC. VI. Any person under the regulation prescribed by this ordinance shall be at liberty to sell all articles of provisions or other produce in such stall or stand in the Market House as may be assigned them by the Clerk upon payment of fees at following rates: a person who rents a stall shall pay for every quarter of beef five cents; for every quarter of mutton, goat, kid, venison, veal or pork, one and a fourth cents; for every hundred weight of bacon, six and a fourth cents; and a person who rents no stall shall pay the following rates: for every quarter of beef fifteen cents; for every quarter of mutton, lamb, goat, kid, venison, veal or pork, six cents; on every pig, ten cents; on one hundred pounds of bacon, twelve and a half cents; on every hog not weighing one hundred pounds, twelve and a half cents; and on every hog over one hundred, twenty-five cents; on each pound of sausages, if not made of meats previously entered and paid for, one fourth of a cent. Any person who does not rent a stall shall pay for the use of one temporarily such amount as the Clerk may assess, not to exceed ten cents for each quar-

ter of beef and one and a half cents for each quarter of mutton, lamb, goat, kid, veal or pork ; and all neat cattle over four months old or weighing over one hundred pounds shall be taxed as beef.

SEC. VII. Any person who shall fail or refuse to pay to the Clerk the tax required by this ordinance shall, upon conviction, pay a fine of not exceeding ten dollars and costs for each offence ; and all articles which are taxed by this ordinance shall be entered with the Clerk of the Market before the same are exposed for sale in the City, whether within Market hours or not, and the Clerk shall give, each day, a certificate to each person who has entered and paid to go about the City for the purpose of sale.

SEC. VIII. The Market hours shall be from an hour before sunrise to nine o'clock, from the first day of March to the first of September, and from sunrise to ten o'clock, from the first of September to the first of March, and Saturday evenings, from four to eight o'clock.

SEC. IX. It shall be the duty of all regular Butchers attending the Market in Market hours, together with their servants engaged in cutting meats for sale, to be clothed with a decent apron or frock. They shall remain inside their benches in exposing meats for sale so that a free passage may be allowed to customers through the Market ; and any person violating this section shall, on conviction, pay a fine of not exceeding five dollars and costs.

SEC. X. Each stall shall be attended by the person renting the same or some person appointed by him for that purpose, and any person violating this section of the ordinance shall, on conviction, pay a fine of not exceeding twenty dollar and costs.

SEC. XI. It shall be the duty of all Butchers or other persons to exhibit the ears of the animals they offer for sale to the Clerk of the Market and to give a description of the marks, brands and color of the animal killed, with the name of the person of whom purchased, and when there is no ear mark the hide shall be brought with the ears on it, and on failure or refusal so to do each offender shall, on conviction, be liable to a fine of not exceeding fifty dollars and costs. All such returns or exhibits shall be entered of record by the Clerk free of charge in a book to be kept by him for that purpose, which shall at all times be subject to the examination of any person desiring it—the said Clerk to re-

ceive ten cents for each examination and fifty cents for each certificate. The Clerk shall inspect all ears brought before him, and after examination have them burned; all Butchers shall, immediately after Market hours, scrape and clean their stalls, blocks and benches and remove the feet and other parts of animals, unfit for use, which are brought by them to Market.

SEC. XII. Any person shall be at liberty to supply the Market with any kind of provisions or vegetables during Market hours under the restrictions aforesaid.

SEC. XIII. No person shall contract for, buy, receive or take from any wagon or cart, or in any manner control any articles of provisions usually vended in Market, at any place within the city during Market hours, but at the Market House, and any person violating this section shall pay a fine of not exceeding fifty dollars and costs.

SEC. XIV. No person, except the owner, shall mount upon any wagon, cart or other vehicle at Market, and no person shall take from another at Market, any article whatever without permission of the owner, and any person so offending shall be liable to a fine of not exceeding fifty dollars and costs.

SEC. XV. No person shall, during Market hours, bring within one hundred feet of the Market House, any filthy wagon, cart or other vehicle, nor shall any person bring to the Market any tainted tallow or other offensive matter whatever, nor shall any person vend in Market any unsound or impure article of provision whatever; and any person violating this section of the ordinance, on conviction, shall pay a fine of not exceeding fifty dollars and costs.

SEC. XVI. No person or persons shall sleep in the Market House, nor in any manner injure or damage the same, or in any wise be guilty of indecent acts within the same; any white person violating this section shall be liable, on conviction, to pay a fine of not exceeding fifty dollars and costs, and a slave or free person of color, to not exceeding forty lashes.

SEC. XVII. In all sections of this ordinance, where no penalty is prescribed for violations, the penalty shall be a fine of not exceeding fifty dollars and costs.

SEC. XVIII. Hogs sold whole for family use or bacon, and not for retail, after Market hours are exempt from entry and tax as specified for other articles.

AN ORDINANCE Amendatory of an Ordinance entitled an
“An Ordinance for the regulation of the Market and
Market House.”

SEC. I. *Be it ordained by the Mayor and Council of the City of Atlanta, and it is hereby ordained by the authority of the same,* That from and after the passage of this Ordinance, the Market hours shall be from one hour before sunrise, until nine o'clock in the forenoon, and from four to seven o'clock in the afternoon, of each day (except Sunday) from the first of March to the first of September, and during the remainder of the year, until ten o'clock in the forenoon, and from three to six o'clock in the afternoon for the sale of fish; and that it shall not be lawful for any person or persons to offer or expose for sale at any other place in the City, except at the Market House, and within the regular Market hours, fish of any kind, (except such as may be salted, dried or smoked,) and it shall be the duty of the Marshal to report all violations of this section, and bring the offenders to punishment.

SEC. II. *And be it further ordained,* That it shall not be lawful for any person or persons renting a stall or stalls in said Market House for the sale of meats, to sell in said stall or stalls, fish or vegetables of any kind; nor shall it be lawful for the hirer of a stall for the sale of fish, vegetables or poultry, to sell in said stall any article or articles other than those for which said stall was rented; and it shall be the duty of the Clerk of the Market to report to Council all violations of this section. He shall, under the direction of the Committee on the Market, provide suitable stalls for the sale of fish, poultry, &c., and collect the fees for the same. The fees for the sale of fish shall be one per cent.

SEC. III. *And be it further ordained,* That any person or persons offending against the provisions of this Ordinance shall, on conviction, forfeit and pay a fine of not exceeding fifteen dollars for each and every offence; provided nothing in this Ordinance shall be so construed as to prevent the renters of stalls and others from offering for sale in the streets, between the closing of the Market house in the forenoon until within one hour of its opening in the afternoon, fish of any kind not previously condemned.

SEC. IV. *And be it further ordained,* That all Ordinances and parts of Ordinances, militating against this Ordinance,

and one of which this is amendatory, be, and the same are hereby repealed.

WILLIAM EZZARD, Mayor.

Done in Council, June 13, 1856.

H. C. HOLCOMBE, Clerk.

AN ORDINANCE to amend an Ordinance entitled "An Ordinance for the regulation of the Market and Market House."

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same,* That the Stalls in the Market House shall, be assessed and numbered by the Market Committee on or before—day of February, in each and every year, and shall be rented by assessment on the second Tuesday in February, between the hours of ten o'clock, A. M. and two o'clock, P. M., in each and every year; the numbers shall be placed in one hat and the names of the applicants in another, and a number shall be drawn from one hat and a name from another, and the person whose name shall be drawn to such number shall be entitled to the stall represented by such number, and shall be bound to pay the assessment made by said Committee on such stall, in nine equal installments payable monthly. No person shall, directly or indirectly, rent more than one stall or in any wise be interested in more than one stall, provided the remaining stall or stalls shall be applied for and rented within ten days, after such renting or within ten days after they or either of them shall become vacant, and not otherwise. Any person violating the provisions of this ordinance, upon conviction thereof, shall pay a fine of not exceeding fifty dollars and costs, and shall moreover forfeit the stall or stalls by him rented.

SEC. II. All ordinances and parts of ordinances not inconsistent with the foregoing, be and the same are hereby declared to be in full force.

L. J. GLENN, Mayor.

Passed, February 5th, 1858.

C. C. HOWELL, Clerk.

AN ORDINANCE on the subject of the Market House and Lot, and for other purposes.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by authority of the same,* That no person shall be allowed to deposit any offensive matter within the Market House or on the Market House Lot. Any person who shall be guilty of a violation of this ordinance shall, upon conviction of the same before the Mayor or three members of Council, pay a fine of not exceeding fifty dollars, one half of said fine to go to the informer, and, upon failure to pay such fine, shall be imprisoned in the Calaboose, not exceeding thirty days and shall moreover be subject to be proceeded against by fi fa or ca sa for the recovery of such fine and cost.

SEC. II. All ordinances and parts of ordinances militating against this ordinance, be and the same are hereby repealed.

LUTHER J. GLENN, Mayor.

Passed, April 30th, 1858.

C. C. HOWELL, Clerk.

MARSHES.

AN ORDINANCE regulating Marshes.

Be it ordained by the Mayor and Council of the city of Atlanta, That all owners of lots who occupy the same, and through which a branch or Marsh runs are required to remove all logs, brush, trash or other substance that may obstruct the free passage of the water through the same, in five days after notice so to do, and, on failure shall be fined not more than fifty dollars.

NIGHT POLICE.

AN ORDINANCE regulating the Night Police.

SEC. IV. Each of the assistant Watch shall give bond and security in the sum of five hundred dollars, and shall receive for their services twenty-five dollars per month and such fees as are allowed Constables in this State, for their services during their continuance in office.

SEC. VIII. That to prevent any misunderstanding between said Watch and the Marshal or Deputy Marshal about costs, all costs happening on cases occurring from sunrising until bell-ring, shall belong to the Marshal or Deputy, and costs on cases from bell-ring to sunrising to said Night Watch, unless they agree otherwise.

JOHN F. MIMS, Mayor.

Passed, January 28th, 1853.

H. C. HOLCOMBE, Clerk.

AN ORDINANCE concerning the election, regulation and duties of the Night Police.

SEC. II. It shall be the duty of said Police, to guard the city from the ringing of the Council bell on each and every night, and until sunrise next morning and to enforce obedience to the Charter, By-Laws and Ordinances of said city, under the rules and regulations as are prescribed by the ordinances of said city for the government of the Marshal and Deputy Marshal, and to report or bring before the Mayor or three members of Council, each and every person, who violates the same, in manner and form as hereinafter pointed out.

SEC. III. It shall be the duty of the Chief to cry the hour from the Council Hall, in a loud and distinct voice, every hour in the night after nine o'clock, and to which cry each of his assistants shall respond, and said assistants shall report to the Chief all violations of the city ordinances and said Chief shall each morning make a written report to the Mayor.

SEC. V. That said Night Watch shall arrest and safely keep all violators of the Laws and Ordinances of the city, as shall happen in their presence or come to their knowledge,

within the times above specified, until such violator may be tried by the Mayor or three members of Council.

SEC. VI. Said Watch shall be conservators of the peace and shall assist, when necessary, in suppressing any riot or other disorderly conduct and breach of the peace, as shall come to their knowledge; and in case any violations of the ordinance happen in the presence of any Night Watch, the Marshal or Deputy Marshal not being present, it shall be the duty of the Watch to arrest said offender, and deliver him, her or them to the Marshal or Deputy Marshal.

SEC. VII. It shall be the duty of the Marshal and Deputy Marshal, to render any and all assistance that may be necessary to said Watch, in suppressing riots and affrays, and other disorderly conduct, and if any violation of the Ordinances of the city should happen in the presence of the Marshal or Deputy Marshal, or they or either of them should be informed of the same, it is their duty then, and in that case, to arrest such offender, and bring him, or her to the said Night Watch, during the hours of service of said Night Watch.

SEC. VIII. To prevent any misunderstanding between said Watch and the Marshal, or Deputy Marshal, about costs—all costs happening on cases occurring from sun-rising until bell-ringing, shall belong to the Marshal or Deputy Marshal; and costs on all cases from bell-ring to sunrise, to said Watch.

SEC. IX. Said Watch shall guard the city from fire, and they are hereby required, on the appearance of fire, to give immediate alarm by ringing the Council bell, and crying "Fire."

SEC. X. Each of said Watch shall be liable to be suspended from office, by the Mayor or any three members of Council, for a violation of any of the city Ordinances, until a trial may be had by the Mayor and Council, or Council.

SEC. XII. The Assistant Night Watch, shall at all times be under the control and direction of the Chief, and said Chief of the Watch shall collect all the fines or other debts which may accrue during his time of service, and pay the same over to the Clerk of Council.

AN ORDINANCE regulating the Salaries of Clerk of Council, Treasurer, Marshal, Deputy Marshal, Police, Superintendent of Streets, Wells, Pumps, Cisterns, &c., Clerk of Market, Sexton, and City Surveyor.

SEC. VI. *Be it further ordained*, That there shall be eight Night Policemen, who shall each receive thirty dollars per month, and who shall at all times be subject to the control of the Captain and Lieutenant.

AN ORDINANCE to regulate the duties of Marshal, Deputy Marshal, and Police of the city of Atlanta.

SEC. IV. *And be it further ordained*, That the Night Police shall be under the control of the Deputy Marshal and Lieutenants, subject to the direction of the Mayor or Police Committee, each of which Night Police shall watch diligently all such Districts or Wards as may be assigned them; and arrest and confine in the guard house, all offenders against the ordinances of said city, as may come to either of their knowledge, each of whom shall be on duty from nine o'clock, P. M. until daylight next morning.

SEC. V. *Be it further ordained*, That if any of the said officers or Night Watch, shall at any time become intoxicated or under the influence of liquor, or fail, neglect or refuse to perform all duties as the laws or ordinances of said city may require, or as the Mayor or Police Committee require in discharge of his duty, or who shall be guilty of any immoral or disorderly conduct, such officer or private so offending, may be immediately suspended from office until the first regular meeting of Council, by the Mayor or Police Committee, when such offender shall be tried, and if found guilty, shall be fined, reprimanded or removed from office.

SEC. VI. *Be it further ordained*, That it shall be the duty of the Night Police to report to their Captain all violations of the laws and ordinances of said city, and he shall report the same to the Marshal, whose duty it is to bring said offenders before the Mayor, and the Marshal shall receive all the Court costs now allowed said officer in such cases.

SEC. VII. *And be it further ordained*, That all ordinan-

ces and parts of ordinances, militating against this ordinance, be, and the same are hereby repealed.

WILLIAM EZZARD, Mayor.

Done in Council, January 30, 1857.

JAMES McPHERSON, Clerk.

AN ORDINANCE to alter and amend an ordinance entitled "An ordinance regulating the salaries of Clerk of Council, Treasurer, Marshal, Deputy Marshal, Police, Superintendent of Streets, Wells, Pumps and Cisterns, &c., Clerk of Market, Sexton and City Surveyor," and for other purposes.

SEC. IV. *Be it further ordained by the authority aforesaid*, That there shall be a Lieutenant of Police, who shall be under the control of the Captain, and who shall receive for his salary the sum of five hundred dollars per annum, to be paid quarterly, and that the office of second Lieutenant of the Police as provided for in the ordinances of said city, be and the same is hereby discontinued.

SEC. V. *Be it ordained by the authority aforesaid*, That the Deputy Marshal shall be on duty at all hours of the day and until half past ten o'clock at night, and shall be subject to the orders of the Mayor and Police Committee.

The Lieutenant of Police shall go on duty at half past ten o'clock at night, and remain on duty until day light, and shall attend the Night Police during that time, and shall at all times do and perform the duties of Policeman as required by the laws and ordinances of said city, and shall be under the direction of the Deputy Marshal, and subject to the order and control of the Mayor and Police Committee.

LUTHER J. GLENN, Mayor.

Passed, January 26th, 1858.

JAMES McPHERSON, Clerk.

AN ORDINANCE to provide for the election of a Second Lieutenant, and provide for his pay and other purposes.

SEC. I. *Be it ordained by the Mayor and Council of the City of Atlanta, and it is hereby ordained by authority of the same*, That there shall be elected a Second Lieutenant of Police,

who shall hold his office during the same time that the First Lieutenant holds his, who shall discharge the duties as those imposed on said First Lieutenant, and shall be subject to the same pains and penalties, and shall receive for his services a salary of five hundred dollars per annum, for the time he serves, payable quarterly.

SEC. II. *And be it further ordained*, That there shall be elected two additional Policemen, who shall be subject to all the Ordinances, now in force, in said city, and shall receive for their services thirty dollars per month. The said Second Lieutenant and Policemen may be removed or discontinued at the will and pleasure of the City Council, and paid only for the time in service.

SEC. III. *And be it further ordained*, That all Ordinances and parts of Ordinances in conflict with the foregoing, be, and the same are hereby repealed.

L. J. GLENN, Mayor.

Passed, April 30th, 1858.

C. C. HOWELL, Clerk.

AN ORDINANCE regulating the Salary of the Night Watch.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlauta*, That the Night Watchmen receive thirty-five dollars per month for their services, and that they be required to light and extinguish the Lamps without extra pay.

WILLIAM EZZARD, Mayor.

Passed, January 27th, 1860.

C. F. WOOD, Clerk.

OFFENSIVE MATTER THROWN UPON STREETS OR LOTS.

AN ORDINANCE to make penal the throwing of water or any other liquid, or any thing of any kind from one person's lot or premises on that of another, so as to injure the same, and for other purposes.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same,* That any owner or occupant of a lot, who shall throw or discharge from his, or her premises, as much water or any other liquid, or thing of any kind whatever, as may put any part of any street or alley in bad order, or which may injure or damage any other lot in any way, or the occupants thereof, shall, upon conviction before the Mayor or three members of Council, be fined not exceeding ten dollars and costs for every day such nuisance is allowed to exist, and the same shall be abated by order of the Mayor or three members of Council, at the charge and expense of the person or persons causing or allowing the same.

SEC. II. All Ordinances and parts of Ordinances in conflict with the foregoing, be, and the same are hereby repealed.

L. J. GLENN, Mayor.

Passed, November 5th, 1858.

C. C. HOWELL, Clerk.

OFFAL OF BEEVES, &c.

AN ORDINANCE to provide for the selling of the offal of Beeves, and other animals butchered in said city.

Be it ordained by the Mayor and Council of the city of Atlanta, That it shall be lawful for any butcher or other person, slaughtering animals in said city, to sell all the offal of the same in any part of said city, after they have been inspected by the Clerk of the Market, upon the payment of two per cent. upon the amount sold for said privilege.

WM. EZZARD, Mayor.

Passed, February 10, 1860.

C. F. WOOD, Clerk.

OATH OF OFFICERS.

GENERAL ORDINANCE.

SEC. VI. Each officer of the City Council shall take and subscribe to the oath for the faithful discharge of the duties of his office, in the form prescribed by the Charter for the Mayor and members of Council.

J. NORCROSS, Mayor.

Passed, April 11th, 1851.

A. W. JONES, Clerk.

PEACE AND GOOD ORDER.

Any person who shall burn rockets or crackers, or any kind of fireworks, within the incorporate limits of the city of Atlanta, without permission in writing from the Mayor, shall on conviction of such offence, pay a fine of not exceeding five dollars and costs.

GENERAL ORDINANCE.

SEC. XI. Any person who shall, within the corporate limits of the city of Atlanta, commit an offence against the penal laws of this State shall, if done in the presence of the Marshal, be arrested by him and carried before some Justice of the Peace or other officer for examination. And, if ordered by the Mayor or any member of Council to arrest such offender, it shall be his duty to do so, and to prosecute such offender.

SEC. XII. Any person who shall, within the incorporate limits of Atlanta, be guilty of an act of public indecency, tending to debase the morals of any of the citizens; or of quarreling, or of using obscene, vulgar language, or malicious mischief, or otherwise act in a disorderly manner, (which offence is not recognized as penal by the laws of this State,) shall, on conviction, pay a fine of not exceeding fifty dollars and costs. Any person who shall make any noise at night, calculated to disturb the public peace, or to annoy any of

the citizens, shall, if done in the presence of the Marshal, be arrested by him and carried before the Mayor or Council for trial, and on conviction thereof shall pay a fine not exceeding fifty dollars and costs. And if not done in presence of said Marshal, then, upon complaint made, to be proceeded against as in other cases of a violation of this Ordinance.

SEC. XXXVIII. Any person or persons who shall keep a common ill-governed and disorderly house, or house of ill-fame, and any person who shall reside at such house shall, on conviction before the Mayor or Council, pay a fine of not exceeding fifty dollars and costs of trial. And, if any person so keeping or residing at such disorderly house, or house of ill-fame, make, or suffer any noise to be made in said house, which may annoy any citizen, he, she, or they, shall, on conviction, pay a fine of not exceeding fifty dollars and costs of trial.

SEC. LX. Any Merchant, Grocery keeper, or other dealer, who shall keep open doors on the Sabbath day, or trade and traffic on that day, shall, on conviction before the Mayor or Council, pay a fine of not exceeding fifty dollars and costs.

AN ORDINANCE relative to playing Cards.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same,* That if any person or persons shall play and bet at any game of cards, or play at cards where anything is bet, or bet at any game of cards, such person or persons so offending shall, on conviction before the Mayor or Council, pay a fine of not exceeding fifty dollars and costs.

SEC. II. Any person or persons who shall keep a gaming house, or room, or who shall permit any person or persons to play and bet, or bet at any game of cards, in any house or room, kept, owned or occupied by such person, such person so offending, shall, on conviction before the Mayor or Council, pay a fine of fifty dollars and costs.

SEC. III. Any person who shall play or bet at any other game than cards, such person so offending, shall, on conviction,

tion before the Mayor or Council, pay a fine of not exceeding fifty dollars and costs.

JOHN F. MIMS, Mayor.

Passed, April 25th, 1853.

H. C. HOLCOMBE, Clerk.

AN ORDINANCE for the security, welfare and interest of the city of Atlanta, and for preserving the peace order and good government of said city.

SEC. I. *Be it ordained by the Mayor and Council of the City of Atlanta, and it is hereby ordained by the authority of the same,* That from and after the tenth day of August next, that no dog shall be permitted to run at large in the streets of Atlanta, unless such dog have and wear a collar, as prescribed by this ordinance, and any dog, so found without such collar, shall be killed by the Marshal or other police officer.

SEC. II. *Be it further ordained,* That it shall be the duty of the Marshal to have prepared collars of tin, copper or brass, with the words stamped thereon "City of Atlanta," for such persons as desire collars for their dog or dogs, and he shall sell the same at the price of one dollar, which sum shall be paid to the Clerk of Council for the use of the city.

SEC. III. *Be it further ordained,* That the Marshal or Police shall receive fifty cents for each dog killed and hauled off, which has no collar.

SEC. IV. *And be it further ordained,* That the Marshal shall keep a list and record, of all persons who procure such collars, and if any person, who shall counterfeit or use any collar not bought as aforesaid shall, on conviction, pay a fine of not exceeding forty dollars and all costs.

WM. EZZARD, Mayor.

Passed, July 31st, 1857.

J. McPHERSON, Clerk.

AN ORDINANCE for preserving peace and quiet, good order, and other purposes herein mentioned.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same,* That no person shall do work, or in any wise

labor or cause any work to be done on the Sabbath day, except it be a work of necessity.

SEC. II. No person shall write, paint, or draw, carve or cut any letters or letter, words or word, or device or thing on, or in any manner mutilate or deface, or post any bills on any Church, public building or private house, belonging to another in this City, and any person so doing shall be liable to a fine, on conviction, of not more than fifty dollars and costs.

SEC. III. No person shall, in anywise, disturb any grave, deface, pull up, or remove any tomb, or tombstone or any other thing, put or placed to mark a grave, nor in anywise deface the same, nor any paling or wall around a grave, nor shall remove any plank, post, or timber off the graveyard. Any person convicted of a violation of any part of this section, shall be liable to a fine of not exceeding fifty dollars.

SEC. IV. Any Merchants, Grocery keeper, or other dealer, who shall trade and traffic on the Sabbath day, shall, on conviction, be liable to a fine of not exceeding fifty dollars and costs.

SEC. V. Any person who shall fire any gun, pistol, or firearm, within two hundred yards of any dwelling house or place of business, except on military parade days, under orders of commanding officers, shall, on conviction, be fined not exceeding fifty dollars and costs, and any person who shall burn rockets, or crackers, or any kind of fire works, in said City, without permission from the Mayor, shall, on conviction, be liable to a fine of not exceeding fifty dollars and costs, one-half of the fine to go to the informer.

SEC. VI. Any person who shall commit a violation of the penal laws of this State, in the presence of the Marshal or Deputy Marshal, shall be arrested by them or either of them, and carried before some proper officer for examination, and if ordered by the Mayor or any member of Council to prosecute any such offender, he shall do so.

SEC. VII. Any person who shall, within this city, be guilty of any act of public indecency, tending to debase the morals of any citizen, or of quarreling or of using obscene, vulgar, or profane language, shall, on conviction, pay a fine of not exceeding fifty dollars and costs. And any person who shall make any noise at night calculated to disturb the public quiet, or to annoy any of the citizens, shall be liable,

on conviction, to a fine of not exceeding fifty dollars and costs.

SEC. VIII. Any person or persons, in said city, between the age of eighteen and fifty years, who, upon being summoned by the Marshal or Deputy Marshal, or Police, to aid in suppressing an affray, breach of the peace or other outrage, shall refuse so to do, or refuse to arrest or aid in arresting any offender against the laws of this State or any Section of this Ordinance, and any person who shall oppose, resist or obstruct the Marshal or Deputy Marshal, or Police, in the arrest of any of the offenders against this Ordinance, or any law of this State, or other discharge of his duty, shall, on conviction, pay a fine of not exceeding fifty dollars and costs.

SEC. IX. Any person who shall play or bet money or other thing of value, at any game not recognized as an offence by the laws of this State, or permit the same to be done on his or her premises, shall, on conviction before the Court, pay a fine of not exceeding fifty dollars and costs.

SEC. X. Any person who shall fight chicken cocks in the corporate limits of this city, either with or without gaffs, and any person who shall bet any money or other thing of value at a chicken cock fight, shall be liable, on conviction, to pay a fine of not exceeding fifty dollars and cost of trial.

SEC. XI. Any person who shall be found drunk or hooting and hallooing or making any other unnecessary or unusual noise, to the disturbance of any citizen, may be fined not exceeding twenty-five dollars and costs, or be imprisoned twenty-four hours, if he or she does not desist when required to do so by the Marshal or any citizen of this city.

SEC. XII. Any person who shall violate any of the By-Laws or Ordinances of this city, may be, by order of the Mayor or any member of the Council, arrested and confined in the guard house, if he or they deem it necessary to secure such party's attendance at the place of trial until he or she can be tried or otherwise released by order of the committing officer.

SEC. XIII. The Marshal, Deputy Marshal, or Police, shall arrest and confine in the guard house, any offender against the laws and ordinances of this city, where in their judgment, such arrest and confinement is necessary to secure said offender's appearance before the Court, to answer his or her offence, or preserve the peace of the City.

SEC. XIV. The Marshal shall procure from the Clerk of the Inferior Court a set of standard Weights and Measures, and shall examine each and every Scale and other instrument for Weighing and Measuring in said city, and all the Weights and Measures shall conform to said standards, and for each examination and arrangement of such scales, weighing machine or measure, he shall receive the sum of ten cents, and shall stamp the instrument with the letter A.

SEC. XV. If at any time after the arrangement of such Measure or weighing machine, the Marshal shall find it not in conformity to said Standard, he shall report the person using such false Measures or weighing machine, and such offender shall, on conviction, pay a fine of not exceeding fifty dollars and cost. •

AN ORDINANCE in addition to those for preserving the Peace and Good Order of the City of Atlanta.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same,* That the keeping of a lewd house within said city, shall be adjudged to be a public nuisance.

SEC. II. It shall not be lawful for the owner or occupant of any house within the city of Atlanta to permit such house to be used or occupied as a house of ill-fame; and any owner, lessee or occupant of any house within said city, who shall permit any woman of ill-fame to occupy said house for the purposes of fornication or adultery for the space of two days, after having been notified thereof by the Marshal or other officer of said city, shall be liable to be tried for said offence, and upon conviction thereof, before the Mayor and Council, shall be fined in a sum not exceeding fifty dollars; and if said nuisance shall be continued after said conviction, it shall be lawful to abate the same by demolishing said house, which shall be done by order of the Mayor and Council, by the Marshal or his Deputy.

WILLIAM EZZARD, Mayor.

Passed, May 9th, 1856.

H. C. HOLCOMBE, Clerk.

AN ORDINANCE for preserving the peace and quiet of the city of Atlanta, and for the regulation of Retail Houses, Billiard Tables and Ten-Pin Alleys.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same,* That any retailer of spirituous or fermented liquors, who shall keep open doors after the hour of half-past eleven o'clock at night, within said City, for the purpose of vending spirituous liquors or other intoxicating drinks shall, upon conviction, be fined in a sum of not exceeding fifty dollars and costs.

SEC. II. *Be it further ordained,* That any person who shall keep open a room or saloon containing any Billiard Table or Ten-Pin Alley after the hours of half-past eleven o'clock at night, or shall permit persons to assemble or remain in said Saloon, Billiard or Ten-Pin Alley room for the purpose of playing or rolling on said Tables or Alleys, after the hours of half-past eleven o'clock at night shall, upon conviction, be fined in a sum not exceeding fifty dollars.

SEC. III. It shall be the duty of the Night Police to be vigilant in detecting and reporting offenders against this ordinance, and any member of said Watch who shall know any person to be guilty of a breach of this ordinance and shall fail to report the fact to the Mayor or Council, shall, upon proof thereof, be forthwith removed from office.

SEC. IV. Any ordinance militating against the provisions of this ordinance, is hereby repealed.

WILLIAM EZZARD, Mayor.

Done in Council on the 20th June, 1856.

H. C. HOLCOMBE, Clerk.

AN ORDINANCE to amend the fifth section of an ordinance, entitled "An ordinance for preserving the peace, quiet, good order and other purposes herein mentioned."

Whereas, "An Ordinance prohibiting any person or persons from shooting with any firearms within two hundred yards of any dwelling or business house," not being ample to protect persons from danger; and *whereas,* the firing of guns and pistols in open grounds have subjected persons to much danger and bodily injury;

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by authority of the same,* That no person shall, after the passage of this ordinance, shoot with any fire-arms within the corporate limits of said City, unless it be in a shooting gallery, which shall be under the sanction of said Mayor and Council, or by their permission on military parade days.

SEC. II. *Be it further ordained,* That any person or persons, who shall be convicted before the Mayor or three members of Council, of a violation of the foregoing section of this ordinance, shall be subject to a fine of not exceeding fifty dollars and costs of trial, or not exceeding thirty days confinement in the Guard-house.

SEC. III. *And be it further ordained,* That all ordinances and parts of ordinances conflicting with this ordinance be, and the same are hereby repealed.

WILLIAM EZZARD, Mayor.

Done in Council, December 23d, 1857.

J. McPHERSON, Clerk.

AN ORDINANCE to amend the second Section of an Ordinance entitled "An Ordinance in addition to those for preserving the Peace and Good Order of the City of Atlanta."

SEC. I. *Be it ordained by the Mayor and Council of the City of Atlanta, and it is hereby ordained by the authority aforesaid,* That any person or persons who shall keep a disorderly house, or house of ill-fame; and any owner or occupant of any house or houses, who may rent or cause to be rented, or allowed to be occupied, any house to be used as a house of ill-fame, in said city of Atlanta, shall upon conviction thereof, before the Mayor or three members of Council, pay a fine of not exceeding fifty dollars, and shall be imprisoned in the Calaboose, not exceeding thirty days; and any owner, or agent of such owner of any house or houses, in said city, who shall suffer or permit any woman of ill-fame to occupy any such house or houses, within said city, for the purpose of fornication or adultery, for the space of two days, after notice thereof, by the Marshal or Deputy Marshal, shall, upon conviction thereof, before the Mayor or three members of Council, be subject to all the pains

and penalties above specified; and if such nuisance shall be continued after such conviction, it shall be lawful to abate the same by demolishing or closing up such house or houses, which shall be done by order of the Mayor or three members of Council, to be executed by the Marshal or his Deputy. Circumstances from which it may be reasonably inferred, that any house which is inhabited by disorderly persons of immoral character and notoriously bad fame, shall be sufficient to establish the fact that such house is a disorderly house, or house of ill-fame, according to the true intent and meaning of this Ordinance; and all adult persons, inhabiting, living in, or boarding at such house or houses, shall be considered the keepers thereof, and subject to all the pains and penalties of this Section, and anything in said second Section of said Ordinance, of which the foregoing is an amendment, inconsistent with the foregoing, be, and the same is hereby repealed.

LUTHER J. GLENN, Mayor.

Passed, May 6th, 1858.

C. C. HOWELL, Clerk.

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PEDDLERS.

AN ORDINANCE regulating Peddlers and Itinerant Traders.

SEC. I. *Be it ordained by the Mayor and Council, and it is hereby ordained by authority of the same,* No licensed Peddlers or Itinerant Trader, by authority of a license from the Clerk of the Inferior Court of any county in this State, shall offer for sale any goods, wares, or merchandize, in the incorporate limits of said city, without first obtaining from the Clerk of Council a license, for which he shall pay the sum of fifteen dollars, and Clerk's fee, for each day he, she or they, shall offer any goods, wares, or merchandize, for sale in said city.

SEC. II. If any such person shall offer any goods, wares, or merchandize, for sale in the corporate limits of said city, without first having obtained a license from the Clerk of Council, the Marshal or Deputy Marshal or Night Watch,

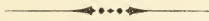
shall arrest such person, and carry him, her, or them, before the Mayor or three members of Council, for trial; where he, she, or they, shall be fined in a sum not exceeding fifteen dollars each, for every day he, she, or they, shall violate this Ordinance.

SEC. III. If any Itinerant Trader shall offer any wares, goods or merchandize for sale within the city of Atlanta, without license from the Clerk of the Inferior Court of Fulton County, he, she or they shall be immediately arrested by the Marshal or Deputy Marshal, or Night Watch, and carried before the Mayor or some member of Council, where upon proof of such charge being made, he, she or they shall be bound over to the next term of the Superior Court of said County thereafter to answer said offence.

WILLIAM M. BUTT, Mayor.

Passed, May 19th, 1854.

H. C. HOLCOMBE, Clerk.



PAVEMENTS OF WHITEHALL AND ALABAMA STREETS.



AN ORDINANCE directing Whitehall and Alabama Streets to be paved.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same,* That the present pavement on each side of Whitehall street from Alabama street be taken up, and that the sidewalks on each side the same be relaid and paved with good hard burnt brick, or rocks, in a level, smooth and uniform manner wherever practicable, under the supervision of the Street Committee and City Surveyor.

SEC. II. *And be it further ordained by authority of the same,* That the side walk on the South side of Alabama street from its intersection with Mitchell street to Prior street, be paved in like manner, likewise under the supervision of the Street Committee and City Surveyor.

SEC. III. The owners of the lots lying and bordering on the sidewalks above referred to are required to pave the

sidewalk in front of their respective lots at their own expense, in the manner above specified, and have the same completed by the fifth day of August next.

SEC. IV. And if any owner of any lot aforesaid, shall fail, neglect or refuse to lay said pavement in front of his or her lot, in the manner prescribed by the Street Committee and City Surveyor, and complete the same by the fifth day of August, 1854, he, she, or they, shall, on conviction before the Mayor or three members of Council, pay a fine of not exceeding fifty dollars and costs of trial.

SEC. V. All Ordinances and parts of Ordinances conflicting with this Ordinance, be, and the same are hereby repealed.

WM. M. BUTT, Mayor.

Done in Council June 30th, 1854.

H. C. HOLCOMBE, Clerk.

AN ORDINANCE amendatory of An Ordinance, passed June 30th, 1854, requiring the sidewalks on Whitehall street to be paved—time extended to the first of September, 1854, to be paved from Mitchell to Marietta street.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same,* That an Ordinance, passed the thirtieth day of June, eighteen hundred and fifty-four, requiring the paving of the sidewalks of Whitehall street, be so amended as to extend the time for paving the same, to the first day of September, 1854.

SEC. II. That the first section of the same be so amended as to read, from Marietta street to Mitchell street.

WM. M. BUTT, Mayor.

Passed, August 4th, 1854.

H. C. HOLCOMBE, Clerk.

PAVEMENTS ON WHITEHALL, MARIETTA, ALABAMA, &c.

AN ORDINANCE for locating, grading, and paving the sidewalks on Whitehall, Alabama, Marietta, Decatur, and Peach-Tree streets.

SEC. I. *Be it ordained by the Mayor and Council of the City of Atlanta, and it is hereby ordained by the same,* That the Committee on Streets, in connection with the City Surveyor, be, and they are hereby instructed, to locate the sidewalks on either side of Whitehall street, and the business portion of Alabama, Marietta, Decatur, and Peach-Tree streets, to make the same of uniform width of ten feet, and notify the owners of lots to cause the same to be paved as soon as practicable, with smooth flag stones similar to that in front of Messrs. J. & J. Lynch and S. Frankford's stores, or with hard burnt brick, and if not done by owners of lots prior to the first day of August next; the same shall be done by the Committee, at the expense of said owners.

WM. EZZARD, Mayor.

Passed, June 19th, 1857.

JAS. McPHERSON, Clerk.

PAVEMENTS ON MARIETTA, WHITEHALL AND LOYD STREETS.

AN ORDINANCE to amend An Ordinance entitled "An Ordinance to amend An Ordinance directing Whitehall and Alabama streets to be paved," &c., &c., passed July 23d, 1858.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same,* That the provisions of the Ordinance of which this is amendatory, be applied to the sidewalks on the following streets, viz: the sidewalk on Marietta street from Howard's store to Norcross' corner, thence down Whitehall street to the corner near the Railroad. Also, Loyd street from Rice's corner to the corner of Hunter street, and that the owners of property on the streets aforesaid, within the

boundaries aforesaid, be required to pave the same instantly under the Superintendence of the Street Committee.

LUTHER J. GLENN, Mayor.

Passed, August 26th, 1859.

C. C. HOWELL, Clerk.

PORTERS OF HOTELS.

AN ORDINANCE requiring Hotel keepers to furnish their Porters with frontlets, and penalty for non-compliance.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same,* That the Proprietors of Hotels in this city be required to provide each and every servant or Porter, who may visit the Cars for the purpose of conveying baggage or passengers to or from the Passenger Depot, a frontlet to be worn on the hat or head, with the name of the Hotel to which said servant or Porter may belong, and also numbered, and on failure to comply with this requisition, shall be liable to a fine not exceeding twenty-five dollars and costs for each offence; this Ordinance to take effect on and after the first day of March next.

ALISON NELSON, Mayor.

Passed, February 9th, 1855.

H. C. HOLCOMBE, Clerk.

AN ORDINANCE amending "An Ordinance requiring Hotel keepers to furnish their Porters with frontlets, and penalty for non-compliance."

SEC. I. *Be it ordained by the Mayor and Council of the City of Atlanta, and it is hereby ordained by the authority of the same,* That no Hotel or Boarding House proprietors, Porters, Agents or Employees of Hotels or Boarding Houses, shall, at the general passenger shed in said city, solicit or ask passengers arriving in said city by any of the Railroad trains, to stop for entertainment at any of said

Hotels or Boarding Houses; and any person violating said Ordinance shall pay a fine of not exceeding fifty dollars and cost for each offence. And all negroes or persons of color violating said Ordinance shall, on conviction, be punished with not exceeding fifty lashes to be inflicted by the Marshal of said city, for which he shall receive one dollar, the cost of the same to be paid by the owner or employee of said negro or person of color.

SEC. II. *Be it further ordained by authority aforesaid,* That all Ordinances not in conflict with the above Ordinance be, and the same are hereby declared in full force.

LUTHER J. GLENN, Mayor.

Passed, December 2d, 1859.

C. C. HOWELL, Clerk.

PUBLIC SCALES.

AN ORDINANCE to regulate the weighing of articles, Stock and Produce at the Public Scales in said city, to fix the fees for the same, and regulate the duty of the Clerk of the Market in relation to the same, and for other purposes.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by authority of the same,* That it shall be the duty of the Clerk of the Market to superintend the weighing of all corn, fodder, oats, hay, straw, shucks and pea vines, and stock of all kinds that may be brought to the Public Scales to be weighed between the hours of eight o'clock in the morning, and four o'clock in the evening; and the party selling the same shall pay fifty cents for each four horse wagon load, thirty cents for each two horse wagon load, and fifteen cents for each cart or one horse wagon load; each live hog five cents; for each sheep or goat three cents; and for each head of cattle fifteen cents. The standard weights of all corn sold by weight, and weighed at the public Scales shall be as follows: Shelled Corn shall weigh fifty-six pounds per bushel, and

Meal shall weigh forty-eight pounds per bushel, and Corn in the ear shall weigh seventy pounds per bushel. The weight of Wheat shall be sixty pounds per bushel; the weight of Rye shall be fifty-six pounds per bushel; the weight of Oat shelled shall be thirty-three pounds per bushel; the weight of Peas shall be sixty pounds per bushel. For the weighing of any of the above articles of produce, the said Clerk shall receive for the weighing of the same, from the person procuring the same to be weighed, one-half cent per bushel, and the said Clerk shall make a reasonable deduction for wet, if in his judgment any should be made on that account, and make a fair return of the weight to the person entitled to the same.

SEC. III. It shall be the duty of said Clerk to make out a report to Council, once a month, of all the sums that he may have received for such weighing, and shall in like manner pay one-half of the same over to the Treasurer of said city, and the other half he shall retain for his services in the premises.

SEC. IV. All Ordinances and parts of Ordinances conflicting with the foregoing be, and the same are hereby repealed.

LUTHER J. GLENN, Mayor.

Passed, March 26th, 1858.

C. C. HOWELL, Clerk.

AN ORDINANCE to amend an Ordinance regulating the weighing at the Public Scales in said city, and fixing the fees for the same.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same* That the Clerk of the Market shall charge for every fifteen head of beef cattle, belonging to the same person or firm thus weighed, the sum of one dollar and fifty cents; for every fifty head of beef cattle, three dollars and fifty cents, and the same proportion for any number greater. And for every twenty-five head of sheep, belonging to the same person or firm, fifty cents; for every fifty head eighty cents, and the same proportion for any number greater. And for every twenty-five head of hogs, belonging to the same person or firm, forty cents, and for every fifty head of hogs

seventy-five cents, and for every hundred head of hogs, one dollar, and for every greater number the same fee in proportion.

SEC. II. *Be it ordained by the authority aforesaid, That all Ordinances and parts of Ordinances in conflict with the foregoing be, and the same are hereby repealed.*

LUTHER J. GLENN, Mayor.

Passed, November 5th, 1858.

C. C. HOWELL, Clerk.

PUBLIC PARK.

AN ORDINANCE to make provision for the occupancy and improvement of the Public Park near the Passenger Depot in the city of Atlanta.

WHEREAS, the Legislature of this State did at its last session pass an Act authorizing the constituted authorities of said city to take possession of and improve and embellish said Park;

SEC. I. *Be it therefore ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same, That the said Mayor and Council do and lawfully shall once take the possession and control of said Park, and provide for its permanent improvement.*

SEC. II. *Be it further ordained by the authority aforesaid, That it shall be the duty of the Committee on Public Buildings and Grounds, to proceed with as little delay as practicable, to engage the services of some competent person, skilled in such business, to lay out said grounds, and have improvement made upon the same, by planting out trees and shrubbery, or such other things as may be necessary to beautify and embellish the same.*

SEC. III. *Be it further ordained by the authority aforesaid, That when said improvement shall be made, either in part or in whole, it shall not be lawful for any person to cut, break, injure or deface the inclosure of said Park, or any tree, shrub, flower, or other vegetable planted, or growing, being there; and any white person, who shall be guilty*

of a violation of this Section, shall, upon conviction before the Mayor or three members of Council, pay a fine of not exceeding fifty dollars and costs; and any slave or free person of color, who may be convicted of the same, shall be liable to receive thirty-nine lashes, and to be imprisoned in the Guard House until the cost for inflicting said punishment is paid.

SEC. IV. *Be it further ordained*, That all Ordinances, or parts of Ordinances, militating against this Ordinance, be, and the same are hereby repealed.

WILLIAM EZZARD, Mayor.

Passed, February 24th, 1860.

C. F. WOOD, Clerk.

RETAIL HOUSES.

GENERAL ORDINANCE.

SEC. XXIX. It shall be the duty of the Marshal to prosecute before the Superior Court of the county of DeKalb, each and every person who shall sell to, furnish, or give, to any slave or person of color, any spirituous liquors, wine or cider, for their use, without a written permit from the owner, agent, overseer, or employer of such slave or person of color; and is hereby made the duty of the said Marshal to enter all places where he may suspect that this Section of the Ordinance is violated.

SEC. XXX. Any Retailer of spirituous liquors within the said incorporate limits, and any merchant who sells spirituous liquors, who shall permit any slave or person of color not owned by, hired to, or lawfully under his or her authority or charge, to enter his retail shop or house of business, where spirituous liquors are sold, or to remain in it, or to loiter about the door, or in the yard of any house where spirituous liquors are kept and sold, shall, on conviction thereof, pay a fine of not exceeding fifty dollars and costs.

J. NORCROSS, Mayor.

Passed, April 25th, 1851.

A. W. JONES, Clerk.

AN ORDINANCE to grant Retail License, and to prescribe the manner of obtaining the same.

SEC. VI. Licensed Retailers (Hotels excepted) shall, within twenty days after obtaining their license, affix a sign board near to or over the door of the tenement in which the retailing is carried on, upon which shall be painted in plain characters the words, "Licensed Retailer of Spirituous Liquors," which sign shall be continued until the expiration of the license, and not one day longer.

JOHN F. MIMS, Mayor.

Passed, February 18th, 1853.

H. C. HOLCOMBE, Clerk.

AN ORDINANCE regulating Retail Houses, and prescribing the mode of issuing License.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same,* That no person or persons shall retail, or sell by retail, any spiriuos or fermented liquors in less quantities than one quart without a license from the City Council, and for which license such person or persons shall pay the sum of fifty dollars and Clerk's fee.

SEC. II. Every person desirous of obtaining license, shall deposit with the Clerk fifty dollars and his fee, and shall make out a written application to Council, mentioning the place where he or she intends carrying on such license trade, and accompany the application with the certificate of two or more of his respectable, sober, and adjacent neighbors, where he or she intends to retail, recommending the applicant as a fit person to be entrusted with such license, and offering to become his security; provided no one person shall sign more than two certificates, and no certificate shall be signed by any person possessed of or applying for license.

SEC. III. When a person who desires such license and deposits such certificate and money with the Clerk, the Clerk shall grant such person a permit to retail liquor until the first meeting of Council, and no longer; and the Clerk shall present to Council the said certificate, and Council may grant or refuse said license; and if a license is refused the money so deposited shall be refunded to the applicant.

SEC. IV. If Council grant the license, the applicant shall,

before license is taken out, give bond with sufficient security in the sum of five hundred dollars for keeping a decent and orderly house, under penalty of forfeiting the license and being held and considered as retailing without license and being punished accordingly, and shall take and subscribe the oath prescribed for retailers of spirituous liquors in this State.

SEC. V. No retail license shall be transferred from one person to another without the consent of Council, nor shall any person be allowed to retail in more than one establishment at the same time under one license, nor on any other place than that set forth in the party's application for license: and no person shall retail spiritous or fermented liquors, on any of the streets of this city under any pretence whatever, under penalty of fine not exceeding fifty dollars and costs for so doing.

SEC. VI. No retailer of spirituous or fermented liquors (except Hotel keepers) shall keep open their door or doors or window or windows on the Sabbath.

SEC. VII. No retailer of spirituous liquors shall permit any slave or free person of color not owned or hired by him or her, or lawfully under his or her charge, or without a permit from the owner, overseer or employer of said slave or guardian of such free person of color, to enter his or her retail shop or to remain in it, or on the lot attached thereto at any time, or to loiter about the door or in the yard where said liquors are retailed.

SEC. VIII. No retailer shall sell, give or furnish any spirituous or intoxicating liquors, or permit them to be given, sold or furnished by any person in his employment, to any slave, or free person of color without written permission from the owner, overseer or employer of such slave, or from the guardian of such person of color.

SEC. IX. All retail licenses shall expire one year from the date of the same, but may be revoked by Council at any time when the person to whom the same may have been granted should violate any of the provisions of this Ordinance.

SEC. X. It shall be the duty of each and every person licensed to retail spirituous liquors to admit the Mayor or any member of Council, or either of the city officers, into his or her premises at any time when such permission may be demanded.

SEC. XI. Any person or persons who shall violate any section or part of this ordinance shall be summoned to appear before the Mayor or any three members of Council, and on conviction, shall be fined in any sum not exceeding fifty dollars and costs.

AN ORDINANCE prohibiting the transferring of Retail Licenses.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same,* That no Retail License shall hereafter be transferred from one person to another, and that so much of the fifth Section of An Ordinance entitled "An Ordinance regulating Retail Houses, and prescribing the mode of issuing License," so far as it sanctions a transfer of Retail License from one person to another by consent of Council, be, and the same is hereby repealed.

JOHN GLEN, Mayor.

Passed, August 10th, 1855.

H. C. HOLCOMBE, Clerk.

AN ORDINANCE amendatory of an Ordinance in relation to Retail Houses, Billiard Tables, Ten-Pin Alleys, &c.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta,* That Bar-rooms attached to Hotels may be kept open thirty minutes after the arrival of each train which may arrive after said hour in the night and on the Sabbath day, and may also be kept open for the space of thirty minutes previous to the departure of each train leaving after said hour in the night and on the Sabbath day, for the accommodation of travelers exclusively.

WILLIAM EZZARD, Mayor.

Passed, July 11th, 1856.

H. C. HOLCOMBE, Clerk.

AN ORDINANCE to amend an Ordinance, entitled "An Ordinance regulating Retail Houses, and prescribing the mode of issuing license."

SEC. I. *Be it ordained by the Mayor and Council of the City of Atlanta*, That no person or persons shall retail any spirituous or fermented liquors in less quantity than one quart within said city, without a license from the city Council, for which license such person or persons shall pay the sum of three hundred dollars and Clerk's fee.

SEC. II. *Be it further ordained*, That any person desirous of obtaining a license, shall proceed in the manner now prescribed by the Ordinances on that subject, except that he shall deposit with the Clerk the sum of three hundred dollars and his fee, instead of the sum of fifty dollars, as now required.

SEC. III. *Be it further ordained*, That no retail shop keeper, or any other person whatever, shall sell, give or furnish any spirituous or intoxicating liquors, or permit them to be sold, given, or furnished by any person in his employment, to any slave or free person of color, without written permission from the owner, overseer, or employer of such slave, or from the guardian of such free person of color.

SEC. IV. Any person who shall be guilty of a violation of any Section of this Ordinance, shall, upon conviction thereof before the Mayor or three members of Council, be fined in a sum not exceeding fifty dollars and costs.

WILLIAM EZZARD, Mayor.

Passed, March 10th, 1860.

C. F. WOOD, Clerk.

RESTRICTIONS UPON PERSONS OUT OF THE CITY.

AN ORDINANCE to restrict persons living outside of the city limits of Atlanta, who shall come within the corporation for the purpose of conveying persons or property, or acting at any time as a common carrier, who conveys for a consideration, &c.

SEC. I. Any and all persons who reside outside the city limits, and who desire to act as a common carrier of either

persons or property within the city limits, shall first pay to the Clerk of Council twenty-five dollars, when the Clerk shall grant to such person or persons, a license for the term of twelve months; and any person or persons violating this Section, shall, on conviction, pay a fine of not exceeding fifty dollars, and be tried before the Mayor or three members of Council.

L. J. GLENN, Mayor.

Passed, June 3d, 1859.

C. C. HOWELL, Clerk.



REPORTS OF OFFICERS.



AN ORDINANCE regulating the duties of the Clerk of Council.

SEC. I. *And be it further ordained*, That all Marshals, whether regular or special, and all other executive officers or agents of the corporation, are hereby required to make weekly reports to the Clerk of the Council, in writing, of all sums of money, or any other property received by them, and of all sums paid by them. They shall also report all charges that may occur in connection with their offices, in favor of or against the corporation. And on failure of any officer or agent to comply with this Ordinance, he shall be liable to be dealt with as for other misfeasance, or malfeasance in office.

J. NORCROSS, Mayor.

Passed, February 3d, 1851.

A. W. JONES, Clerk.



STREETS.



AN ORDINANCE for regulating Streets, and for other purposes herein mentioned.

SEC. I. No person shall put any trash, lumber, wood, box, glass, or other obstruction in any public street, lane, alley,

or way, in said city, or on the side walk (except in case of building, where it may be absolutely necessary) and any person who shall place any obstruction, as aforesaid, in any lane, street or alley, failing or refusing to remove the same in six hours after being notified by the Marshal, or Deputy Marshal, shall, on conviction, be fined not exceeding fifty dollars and cost, and any occupant of any lot who shall throw or discharge from his or her premises, any water, fluid or substance, so as to affect, injuriously, any street, lane or alley in said city, shall, on conviction, be fined, not exceeding twenty-five dollars for every twenty-four hours it is suffered to remain. But a citizen may, by permission of the Street Committee, construct a drain or hollow pavement for the water, or fluid substance to pass off.

SEC. II. Any person or persons who shall drive a vehicle, or ride, in a disorderly manner through the streets, or who shall ride on, or place any wagon, cart or vehicle on the side-walk, except in case of loading and unloading wagons, carts or other vehicles, shall, on conviction, pay a fine of not exceeding fifty dollars and costs.

SEC. III. Any person who shall wilfully destroy any shade tree, or who shall fasten any horse or other animal to any shade tree, fence, or sidewalk, shall, upon conviction, pay a fine of not exceeding twenty-five dollars and costs, and the Marshal shall in every case seize the horse, or other animal, and retain it until the fine and costs are paid.

SEC. IV. Any person who shall cut or destroy any tree planted for shade or ornament, on any street or yard in this city, or who shall cut down any tree upon any lot of another, or take and carry away any wood, timber or trees from another man's lot, shall, on conviction, be liable to a fine of not exceeding fifty dollars and costs.

SEC. V. Any person who shall dig or scrape up and carry away sand from any street, lane, or alley of said city, shall, on conviction thereof, pay a fine of not exceeding twenty dollars and costs for each offence.

SEC. VI. All side-walks in the city of Atlanta shall be eight feet wide, and built under the supervision of the Committee on Streets, and the owners of bordering lots shall have the privilege of planting trees on the outer edge of the side-walk.

SEC. VIII. Whenever the Marshal, or Deputy Marshal shall find any hog or hogs running at large in this city, it

shall be the duty of said officers to take up and put the hog or hogs in a pen, and after giving ten day's notice in four public places in said city, to sell the same, in the place or places where confined, at public outcry to the highest bidder; one-half of the proceeds of said sale, to go to said officer, and the remainder into the Treasury; *provided*, that the owner of such hog or hogs may redeem the same by proving property and paying the sum of one dollar and all expenses for each hog so taken up and confined.

SEC. IX. No person shall drive or ride any horse or other animal across any bridge within the city in a faster gait than a walk, and any white person violating this section of the Ordinance, shall, on conviction, pay a fine of not exceeding twenty-five dollars and costs; and any slave or free person of color who shall violate this section, shall, on conviction, receive twenty-five lashes on the bare back, and costs of trial shall be paid by the owner or guardian of such slave or free person of color.

AN ORDINANCE to raise money to improve the Streets
in the city of Atlanta.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same*, That for the purpose of Grading, Macadamizing, and otherwise improving the streets in the city of Atlanta, the Mayor be, and he is hereby authorized to issue bonds of five hundred dollars each, to the amount of ten thousand dollars, which bonds shall be signed by the Mayor, and counter-signed by the Clerk of Council; shall bear interest at the rate of seven per cent. per annum, payable semi-annually, on the first days of January and July of each and every year at the Clerk of Council's office in said city; said bonds to be redeemable twenty years from their date.

SEC. II. *Be it further ordained*, That the Mayor and Street Committee be, and they are hereby authorized and directed to ascertain on what terms said bonds can be negotiated, either directly or by paying them out to contractors for work on the streets in said city, and report the same to Council; and if said sale or negotiation of said bonds, or any part thereof, be approved by Council, then said bonds shall forthwith be issued.

SEC. III. *Be it further ordained*, That the money raised from the sale of said bonds shall be applied exclusively to the improvement of the streets in said city.

LUTHER J. GLENN, Mayor.

Passed, August 26th, 1859.

C. C. HOWELL, Clerk.

AN ORDINANCE to amend an Ordinance entitled "An Ordinance to raise money to improve the Streets of the city of Atlanta, passed August 20th, 1859.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta*, That the Bonds contemplated to be issued under said Ordinance, be made payable on the first day of July, eighteen hundred and sixty-three, the interest on the same to be payable at the Agency of the Georgia Railroad and Banking Company in the city of Atlanta.

LUTHER J. GLENN, Mayor.

Passed, September 2d, 1859.

C. C. HOWELL, Clerk.

SEXTON.

AN ORDINANCE for the election of a Sexton, and to regulate the Digging of Graves.

SEC. II. The Sexton shall keep a Book of Record of all the deaths and burials in the city, mentioning the names, age, place of nativity, disease, and make a quarterly report to Council.

Passed, February 18th, 1853.

AN ORDINANCE regulating ministerial offices, Clerk, Marshal, Deputy, &c.

SEC. VI. The Mayor and Council shall elect a Sexton, whose duty it shall be to superintend the digging of all graves and all interments, which shall take in this city. No grave shall be dug less than five feet deep; nor shall

any grave be dug or corpse interred, except under the superintendence and direction of the Sexton. The Sexton shall keep a book of record of all the deaths and burials in the city, giving the name, age, place of nativity, disease, and the place from whence buried, and the time of residence in this city. He shall give bond in the sum of three hundred dollars for the faithful performance of his duties, and shall receive the following fees: For digging a grave \$1.50; for attending Funeral without Hearse, \$1; for attending with Hearse \$2; for special or general invitation \$1.50; and for attending without the corporate limits within three miles, double price.

SEC. VII. Any person or persons who shall bury or cause to be buried, any dead person or persons in any other place in this city than the public cemetery, without permission of Council, shall, on conviction of this offence, pay a fine of not exceeding fifty dollars and costs for each offence.

AN ORDINANCE regulating the Salaries of Clerk of Council, Treasurer, Marshal, Deputy Marshal, &c.

SEC. VIII. The Clerk of Market, Sexton, and City Surveyor, shall receive the same pay as now allowed by Council.

WM. EZZARD, Mayor.

Passed, January 27th, 1857.

JAS. McPHERSON, Clerk.

SLAVES AND FREE PERSONS OF COLOR.

AN ORINANCE to regulate Slaves and Free Persons of Color.

SEC. I. *Be it ordained by the Mayor and Council of the City of Atlanta, and it is hereby ordained by the authority of the same,* That any slave or free person of color who shall be caught by the Marshal or Deputy Marshal or Police, after the bell rings at night and until daylight in the morning, off the premises of the owner, overseer, or employer of such slave or slaves, or away from his or her residence, if a free

person of color, unless with a special permit from such owner, overseer, or employer, or guardian, stating the name of said slave, or free person of color, the length of time he, she, or they are to be absent, and the place to which he goes is to be set forth in such permit, unless the slave or free person of color shall be at the house of his wife, and by permission of the owner, overseer, or employer of the wife; such slave or free person of color so caught as aforesaid, shall be imprisoned in the guard-house, and there remain until morning, when the officer so arresting shall notify the owner, overseer, or employer of such slave, or the guardian of such free person of color, of his or her confinement, and such owner, overseer, or employer, or guardian, shall pay said officer one dollar on his delivering up such slave or free person of color; and when said slave or free person of color shall report him or herself on business of the owner, overseer, or employer, or guardian, it shall be the duty of the Police officer to go with him or her to the owner, overseer, or employer, or guardian to ascertain the truth of such report, provided the owner, overseer or employer, or guardian be an inhabitant of this city.

SEC. II. Should any owner, overseer, or employer of any slave, or guardian of any free person of color so confined, refuse to take him or her, or them from said prison, the owner, overseer, or employer, or guardian, shall pay an additional dollar for every twenty-four hours he, she, or they shall permit such slave or free person of color to remain there, which sum shall be collected and enforced in the mode prescribed for imposing and collecting other fines and forfeitures.

SEC. III. No slave or free person of color shall fight, quarrel, commit a riot, or in any wise act in a disorderly manner in said city; and any slave or free person of color who shall violate this section of this ordinance, shall be arrested and carried before the Mayor or three members of Council, and on conviction, shall be punished by whipping under sentence of Court, not exceeding thirty-nine lashes, and the owner, overseer, employer, or guardian, of such slave or free person of color shall pay the costs of such trial and punishment.

SEC. IV. No person shall hire, lend or deliver any horse or horses, or any gig, sulky, buggy, or carriage of any kind to any slave or free person of color, without a written order

from the owner, employer, or agent of such slave or free person of color, and any person convicted of a violation of this section of this Ordinance shall pay a fine of not exceeding fifty dollars and costs.

SEC. V. No person or persons vending any goods, wares, merchandise, retailing spirituous liquors, shall, under any pretence, employ or permit any slave or free person of color to sell any such goods, wares or merchandise, unless the owner thereof, or some other person in the employ of the owner be present; and each and every person violating this section of the Ordinance shall, on conviction, be fined in a sum not exceeding fifty dollars and costs.

SEC. VI. No slave or free person of color shall sell or hawk any beer, cake, or fruit, or confectionary, in any of the streets or alleys of this city; and any slave or free person of color violating this Ordinance shall, on conviction before the Mayor or three members of Council, pay a fine of not exceeding five dollars and costs, or be punished by whipping, not exceeding thirty-nine lashes.

SEC. VII. No slave or slaves, or free person of color, shall be allowed to keep an eating house, or boarding house, or shop for the sale of beer, cakes, fruit, soda water, or other articles on their own account, nor shall any slave or slaves, or free person of color, be permitted to keep such shop or shops, or eating house or boarding house on account of, or for the benefit of any other person whatever; and in case any slave be convicted of a violation of this Ordinance, the owner, overseer, or employer, shall pay a fine not exceeding fifty dollars and cost; and if a free person of color, shall pay a fine of not exceeding fifty dollars and costs, or be punished by not exceeding thirty-nine lashes inflicted upon him or her by sentence of the Court.

SEC. VIII. Free persons of color, registered as such in the State of Georgia, coming within the limits of said city, shall within ten days after their arrival, pay to the Clerk of the Council two hundred dollars, and on failure to do so, shall be confined in the guard-house until the same is paid, or until he or she be discharged by the Mayor or Council, or by due course of law.

SEC. IX. Any slave or free person of color who shall bet upon or play at cards, or dice, or any other game at which money or things of value are won or lost, shall, if found by the Marshal, Deputy Marshal, or any officer of

Council, receive on the bare back thirty-nine lashes, and if the same is reported to the Marshal, Deputy Marshal, or any other officer of Council, such slave or free person of color shall be arrested by such officer, and be confined in the guard-house until brought before the Mayor or three members of Council for trial, and upon conviction, shall be punished by whipping, not exceeding thirty-nine lashes.

SEC. X. Any slave or slaves, or free person of color, not owned by, hired to, or under the charge of any retailer of spirituous liquors, who shall enter a retail shop or other house where spirituous liquors are kept, or remain in the same, or on any lot attached thereto, or loiter about the door or in the yard of any house where spirituous liquors are kept, without a written permit from the owner, overseer, employer or guardian of such free person of color, shall, if found by the Marshal or other officer, be punished with not exceeding thirty-nine lashes; and the Marshal and other officer is hereby required to enter all places where he may suspect a violation of this Ordinance.

SEC. XI. No man slave or person of color shall walk with a cane, club, or stick, (unless blind or infirm) nor smoke a pipe or cigar in any street, lane, alley, or on the square used by the State; and upon conviction of a violation of any part of this section, such slave or person of color shall receive not exceeding thirty-nine lashes.

SEC. XII. It shall be the duty of the Marshal or Deputy Marshal or other officer to arrest and bring before the Mayor or three members of Council, each and every slave who shall hire his or her time; and any slave whose owner, overseer or employer shall permit him or her for a consideration or otherwise to have and enjoy the privilege of laboring or carrying on business for him or herself (except on the premises occupied by such owner, overseer or employer, between the hours of sunset and ten o'clock at night) and notify the owner, overseer or employer of the time and place of trial, and the Mayor or three members of Council shall levy a fine of not less than ten nor more than fifty dollars upon the owner, overseer or employer; *provided* nothing in this Ordinance shall prevent the Mayor from granting permission to the owner of any slave to let his slave live separate and apart from him where the slave labors not for him or herself but for his master.

SEC. XIII. Whenever any owner, agent or employer of

any slave or person of color shall desire the Marshal or other officer to inflict any punishment, on any slave or free person of color, the Marshal or other officer shall inflict punishment not exceeding fifty lashes, and shall receive for inflicting punishment one dollar; and he shall have power to place in the guard-house any slave or free person of color whom the owner, overseer, agent or employer may desire to have placed there, and shall receive for each twenty-four hours such slave or free person of color may remain, the sum of one dollar, and should the owner, overseer, agent or employer of said free person of color, refuse to pay said sum, he shall be proceeded against as hereinafter pointed out for the collection of fines and forfeitures, and be fined not exceeding fifty dollars.

SEC. XIV. No slaves or free persons of color shall assemble in the day or night time in any street, public ground or lot, or in any other place or house and disturb the peace by quarreling, cursing or fighting, or using profane language or disorderly conduct; and if found by the Marshal, Deputy Marshal or other city officer, violating this section in any manner aforesaid, it is hereby made the duty of said officer to arrest such offenders and carry him or her or them before the Mayor or three members of Council for trial; and it shall be the duty of the Mayor or three members of Council to sentence him or her or them to receive not exceeding thirty-nine lashes on the bare back.

SEC. XV. If the Marshal, Deputy Marshal or other officer of Council, shall find any slave or person of color drunk, quarreling, fighting, playing cards for money or other valuable thing, it shall be his or their duty to arrest such offender (and if any violation of this section be reported to any officers of Council, he or they shall likewise arrest) and carry him or her before the Mayor or three members of Council, and, upon conviction, the Court shall adjudge not exceeding thirty-nine lashes to be inflicted on each offender.

SEC. XVI. If any slave or free person of color shall be found with any firearms or other weapons or any poisonous substance or drug, such slave or free person of color shall be arrested and confined in the guard-house and shall, on conviction before the Mayor or three members of Council, be punished by whipping on the bare back not exceeding thirty-nine lashes, and the Marshal or other officer shall seize any firearms or other weapons found on such slave or

free person of color and hold it or them subject to the disposition of the law; and if any white person shall furnish a slave or free person of color with any firearms or other unlawful weapons, such person, upon conviction, shall pay a fine of not exceeding fifty dollars and costs.

SEC. XVII. All punishments inflicted on any slave or free person of color by virtue of these Ordinances, shall be inflicted at the guard-house.

SEC. XVIII. The Marshal, or other officer of Council, who shall place any slave or free person of color in the guard-house, shall receive from the owner, overseer, guardian or employer of such slave or free person of color the sum of one dollar for ever twenty-four hours he or she shall permit them to remain confined—the money to be collected as other fines and costs.

SEC. XIX. If any free person of color, his or her agent or guardian, shall fail or refuse to pay any fine adjudged against said free person of color, execution shall issue and be levied upon such free person of color, and he or she shall be sold for such a time as his or her labor will pay the fine and all costs.

SEC. XX. Whenever any slave is brought to trial for any violation of this Ordinance, his or her owner, overseer or employer shall, if practicable, be notified of the time and place of trial, and such owner, overseer, agent or employer shall, upon conviction, pay the costs of trial.

SEC. XXI. Any slave or free person of color who shall be found with ardent spirits about his or her person or house, unless when prescribed by a physician and with the written permission of the owner, employer or guardian, and any slave or free person of color who shall sell to or furnish another any spirituous liquors shall, on conviction, receive thirty-nine lashes on the bare back.

SEC. XXII. There shall be no assemblage of slaves or free persons of color within the corporate limits of said city for any amusement or other purpose without a permit from the Mayor or a member of Council, and the Marshal or Depty Marshal or police officer shall attend all such assemblages and preserve order, for which attendance he shall receive the sum of two dollars from the managers; and any slave or person of color assembling without such permission, failing or refusing to disperse when directed so to do, shall

be punished with not exceeding thirty-nine lashes; and the city officers are hereby required to enter all places where they may suspect a violation of this Ordinance.

AN ORDINANCE Repealing the Proviso to the twelfth Section of an Ordinance entitled "An Ordinance to regulate the Slaves and Free Persons of Color." Also revoking the permission granted to slaves to live separate from owner.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same,* That the Proviso to the twelfth section of an ordinance to regulate slaves and free persons of color, be, and the same is hereby repealed; and that all permission granted by the present or former Mayor for slaves to live separate and apart from owner, overseer, or employer, be, and the same is hereby revoked.

JOHN GLEN, Mayor.

Passed, July 27th, 1855.

H. C. HOLCOMBE, Clerk.

AN ORDINANCE amendatory of an Ordinance to regulate Slaves and Free Persons of Color.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same,* That the eighth Section of said Ordinance shall read as follows: All free persons of color coming within the limits of the city of Atlanta to live, shall, within ten days after their arrival, pay to the Clerk of Council two hundred dollars. And on failure to do so, shall be arrested by the Marshal, his Deputy or other Police officer, who shall put him or her in the guard house for the term of five days, during which time the Marshal shall advertise in at least one public city Gazette, that such person or persons of color will be hired out at public outcry at the City Hall, to the person who will take such free person of color for the shortest time for said sum; such person paying to the officer at the time of hiring the said sum of two hundred dollars; one-fourth thereof to be paid to the officer reporting such free person of color.

SEC. II. *Be it further ordained*, That if no person will hire said free person of color in accordance with the provisions of this Ordinance, then the Marshal shall inflict a punishment of thirty-nine lashes on the bare back of such free person of color each and every morning he or she may remain within the corporate limits of the city.

SEC. III. *Be it further ordained*, That all Ordinances and parts of Ordinances, not inconsistent with the provisions of the foregoing, be, and the same are hereby declared to be in full force.

LUTHER J. GLENN, Mayor.

Passed, May 20th, 1859.

C. C. HOWELL, Clerk.

AN ORDINANCE to prevent any slave or free person of color from buying and selling, or offering to buy and sell any eggs, chickens, fish, or any other article or articles, in the corporate limits of the city of Atlanta, (except such articles as are excepted by the Statute laws of the State of Georgia,) and to fix a penalty for the same, and for other purposes.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same*, That from and after the passage of this Ordinance, it shall not be lawful for any slave or slaves, or for any free person or persons of color, to buy or sell, or offer to buy or sell any eggs, chickens, or any other article or thing in the city of Atlanta, for the purpose of trade for himself or any other person or persons, except such articles as slaves are permitted to buy or sell by the statute laws of Georgia; provided, that nothing contained in this Ordinance be so construed as to prevent or prohibit the owner, overseer, or employer, to send any slave or slaves, or free person or persons of color under his or her lawful control to Market, and on the streets at lawful hours to purchase articles for family use and consumption; and provided further, that said Ordinance shall not prevent or prohibit any owner, overseer, or employer to send and authorize any slave or slaves, or free person or persons of color of which he or she has the lawful control, to sell in said city within the hours allowed by the provisions of previous ordinances, any chick-

ens, eggs, garden vegetables, or other property or thing which has been produced or raised and prepared for Market by said owner, overseer, or employer.

SEC. II. *Be it further ordained*, That for any violation of this Ordinance, such slave or free person of color, shall, on conviction before the Mayor or three members of Council, receive upon his or her bare back, thirty-nine lashes, to be inflicted by the Marshal or his Deputy, who shall inflict said punishment, and shall, in each case, receive one dollar from the owner of said slave, or the guardian of such free person of color.

SEC. III. Upon the trial of said slave or slaves, or free person or persons of color for the violation of this Ordinance, the owner or owners, or agent of such owner or owners, or the guardian of such free person, as the case may be, shall be notified by the Marshal or other officer of the city, in writing, of the time and place of trial.

SEC. IV. *Be further ordained*, That all Ordinances or or parts of Ordinances conflicting with the foregoing Ordinance, be, and the same are hereby repealed.

WILLIAM EZZARD, Mayor.

Passed, April 13th, 1860.

C. F. WOOD, Clerk.



STREET LAMPS AND LAMP-POSTS.

AN ORDINANCE for the protection of Street Lamps and Lamp-Posts in the city of Atlanta.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same*, That any white person or persons who shall break, injure or deface any of the Street Lamps or Lamp-Posts, or gas fixtures, belonging to the city or the Atlanta Gas-Light Company shall, on conviction before the Mayor or three members of Council, pay a fine of not exceeding fifty dollars and costs.

SEC. II. *And be it further ordained*, That if the person so offending shall be a slave, the fine shall be paid by the

owner or employer of said slave, and if a free person of color, such fine shall be paid by the guardian of such free person of color.

WILLIAM EZZARD, Mayor.

Passed, August 7th, 1857.

JAS. McPHERSON, Clerk.

SHOOTING GALLERIES.

AN ORDINANCE to restrict and regulate Pistol or Shooting Galleries.

SEC. I. Any and all persons desiring to open a Pistol or Shooting Gallery in the city of Atlanta, shall first deposit with the Clerk of Council twenty-five dollars and license fee, and then make a written application at a regular meeting of the Mayor and Council, who shall grant a permission if they see proper.

SEC. II. Any and all persons having obtained a license shall be subject to the same restrictions and liabilities, both as to orderly houses, days and nights, that retailers of spirituous liquors are, and for any violation shall be tried by the same tribunal.

SEC. III. It shall not be lawful for persons conducting any Shooting Gallery to allow minors or drunken persons to practice shooting, under a penalty of a fine of fifty dollars and cost of trial.

LUTHER J. GLENN, Mayor.

Passed, June 10th, 1859.

C. C. HOWELL, Clerk.

SUPERINTENDENT OF STREETS.

AN ORDINANCE regulating the salaries of Clerk of Council, Treasurer, Marshal, Deputy Marshal, Police, Superintendent of Wells, Pumps, Cisterns, Clerk of Market, Sexton and City Surveyor.

SEC. VII. *Be it further ordained*, That the offices of Superintendent of Streets, Wells, Pumps, and Cisters, shall be vested in one person, who shall give bond and security in the sum of one thousand dollars, and who shall receive for his services the sum of five hundred dollars per annum, to be paid quarterly, and shall be subject to the ordinances of said city.

WILLIAM EZZARD, Mayor.

Passed, January 27th, 1857.

JAMES McPHERSON, Clerk.

AN ORDINANCE to alter and amend An Ordinance entitled "An Ordinance regulating the salaries of Clerk of Council, Treasurer, Marshal, Deputy Marshal, Police, Superintendent of Wells, Pumps, Cisterns, &c., Clerk of Market, Sexton, and City Surveyor," and for other purposes.

SEC. VI. *Be it further ordained by the authority aforesaid*, That the Superintendent of the Streets, Wells, Pumps, and Cisterns shall receive for his services the sum of forty dollars per month for the time he may be in the service of the Mayor and Street Committee, and shall be under their control and direction, and subject to the Ordinances of said city as well as those that may hereafter be passed.

LUTHER J. GLENN, Mayor.

Passed, January 26th, 1858.

JAS. McPHERSON, Clerk.

TREASURER.

AN ORDINANCE regulating ministerial offices, Clerk, Marshal, Deputy, &c.

SEC. VIII. The Treasurer shall keep a fair book of entry of all sums of money he may receive and pay out, and shall furnish the Board of Council with a detailed report of all receipts and expenditures, and the different orders upon which money has been paid out by him, and all the different sources through which he has received money, and this report he shall submit to the Council every three months, and his book shall at all times be subject to the inspection of the Committee on Finance. He shall pay out no money but upon orders passed by the Mayor and Council, drawn up and signed by the Clerk and countersigned by the Mayor or President *pro tempore*.

AN ORDINANCE regulating the salaries of the Clerk of Council, Treasurer, Marshal, Deputy Marshal, Police, Superintendent of Streets, Wells, Pumps, Cisterns, &c., Clerk of Market, Sexton, and City Surveyor.

SEC. II. *And be it further ordained*, That the Treasurer, before he enters on the duties of his office, take and subscribe the usual oath, and shall give bond with two or more good and sufficient securities in the sum of twenty thousand dollars, and shall receive for his services five hundred dollars per annum, payable quarterly, and shall do all such services in his department as may be pointed out in the Ordinances of said city.

WILLIAM EZZARD, Mayor.

Passed, January 27th, 1857.

JAS. McPHERSON, Clerk.

AN ORDINANCE to alter and amend An Ordinance regulating the salaries of Clerk of Council, Treasurer, Marshal, Deputy Marshal, Police, Superintendent of Streets, Wells, Pumps, and Cisterns, Clerk of Market, Sexton, and City Surveyor, passed in Council January 26th, 1858.

SEC. II. *Be it further ordained by the authority aforesaid*, That the Treasurer shall receive for his services the sum of four hundred dollars per annum, payable quarterly.

LUTHER J. GLENN, Mayor.

Passed, January 24th, 1859.

C. C. HOWELL, Clerk.

TAX.

AN ORDINANCE providing for the levy and sale of property of the delinquent Tax Payers, against whom *Fi. Fas.* have issued, mode of advertising the same, time and place of sale, and Marshal's fees.

WHEREAS, the sufficiency of the mode prescribed for the collection of Taxes by the present Ordinance of the City of Atlanta has been questioned, to avoid all difficulty:

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by authority of the same*, That whenever any *Fieri Facias* shall issue against any person or persons, citizens of said city, or who have property subject to taxation within the corporate limits of the same, for taxes, in the mode and manner prescribed by the fourteenth Section of the Charter of this city, it shall be the duty of the Marshal forthwith to levy the same upon the property of the defendant, or a sufficiency thereof, to satisfy said *Fieri Facias* and costs.

SEC. II. If the Marshal shall levy a Tax *Fieri Facias* upon any personal property, it shall be and it is hereby made his duty to advertise the same before the City Hall and at the Market House, ten days at least, previous to the day of sale; and if the Marshal shall levy any *Fieri Facias* for Tax upon any real property of the defendant, it shall be

his duty to advertise the same in some public gazette in this city at least thirty days previous to the day of sale, and give to the owner, or tenant in possession, if owner unknown, a written notice of such levy five days before sale.

SEC. III. The Marshal's sales shall be on the first and third Monday of each month before the City Hall door, between the hours of 10 A. M. and 4 P. M., at public outcry, and said Marshal shall knock down said property to the highest bidder and execute titles to the same, if required, and he shall be allowed the same fees as are allowed Sheriffs of this State for executing titles, and six per cent. on all sales under fifty dollars, and five per cent. on all sales over fifty dollars, and not exceeding one hundred dollars; on all sums exceeding one hundred dollars, and less than two hundred dollars, three per cent., and on all sums exceeding two hundred dollars, one and a half per cent.

ALISON NELSON, Mayor.

Done in Council, January 26th, 1855.

H. C. HOLCOMBE, Clerk.

TAX ORDINANCE for eighteen hundred and sixty.

SEC. I. Re-ordains the Tax Ordinance of 1858, with additions as follows:

On each \$100 worth of real estate owned on the first day of April, 1860, (including a special Tax of one-fourth of one per cent. already levied to pay for the building of a City Hall and Market House, and to purchase a title for the same, sixty cents. - - - - - 60.

On each \$100 worth of Merchandise and Stock in Trade, the same being the largest amount on hand at any one time between the first of January, 1860, and the first of April, 1860, (including a tax of one-fourth per cent already levied to pay for the City Hall, &c., as above specified,) sixty cents, - - - - - 60

On each one hundred dollars worth of Merchandize (of any description that is subject to a tax by the laws of this State) on commision and held in the corporation on the first day of April, 1860, sixty cents, - - - - - 60

On each one hundred dollars worth of slave property owned or hired in the city on the first day of April, 1860, fifty cents, - - - - - 50

On each one hundred dollars cash on hand, money at interest, and all the solvent claims or debts held in the city on the first day of April, 1860, fifty cents, - - - 50

On each one hundred dollars worth of Household and Kitchen furniture, (except three hundred dollars worth,) held in the city on the first day of April, 1860, fifty cents, 50

On one hundred dollars worth of other property, not herein enumerated, be the same what it may, (except milch cows,) held on the first day of April, 1860, fifty cents, 50

On each person subject to poll tax, twenty-five cents, 25

On each person subject to do road duty, three dollars, \$3

On the hirer of each slave by the year, which is liable to do road duty, three dollars, - - - - \$3

On each Physician, Lawyer, Dentist, and Daguerrean Artist, five dollars, - - - - - \$5

On each free person of color, between the ages of eighteen and fifty years, - - - - - \$5

On each Billiard Table, used during the year 1860, fifty dollars, - - - - - \$50

On each Nine or Ten Pin Alley Track used during the year 1860, fifty dollars, - - - - - \$50

On each Lottery Office, two hundred dollars, \$200

On each one hundred dollars of premiums received by each Insurance Agent for the twelve months previous to the first of April, 1860, fifty cents, - - - - 50

On each one hundred dollars in money, property or other valuable effects, employed in Brokerage business, being the largest amount at one time between the first day of January, 1860, and the first of April, 1860, fifty cents, - 50

On each negro offered or exposed for sale within the corporate limits of the city by traders or non-residents, three dollars, - - - - - \$3

On each Lottery Ticket sold in the city, five hundred dollars, - - - - - \$500

On each one hundred dollars worth of Merchandize and Stock in trade brought into the city and exposed for sale by any person (except such as are re-furnishing their former stock,) after the time for making Tax Returns shall have expired, the amount of which Stock shall be returned on oath by the owner thereof, or his agent, to the Marshal of the city, whose duty it shall be to report the same to the Tax Receiver and Collector for the city, sixty cents, - 60

On each one hundred dollars worth of Wares, Merchan-

dize or other Stocks brought into the city and exposed for sale by transient and itinerant traders, Stock to be returned on oath by the owner or his agent to the Marshal, as specified above, two dollars, - - - - - \$2

All Machinery attached to Manufacturing establishments, and capital invested in Manufacturing, except the portion owned in real estate, exempt from tax.

The Tax Receiver and Collector to open his Books at his Office for receiving Tax Returns on the 14th day of May, and close the same on the first day of July; and he shall open his books for collecting on the first day of July, and close them on the first day of September.

WM. EZZARD, Mayor.

Passed, May 11th, 1860.

COLEMAN F. WOOD, Clerk.

AN ORDINANCE to amend an Ordinance, passed May 11th, 1860, to raise a tax for the year 1860.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same,* That each and every Bank Agency doing business in the city, shall pay a tax of one hundred dollars for the privilege of doing business in said city, for one year from the first of April last, or from the time of commencing, when it has commenced since that time.

SEC. II. *Be it further ordained, and it is hereby ordained by the authority of the same,* That each and every Express Company shall pay a tax of fifty dollars for the privilege of doing business in the city.

SEC. III. *Be it further ordained,* That the true intent and meaning of the Ordinance of which this is amendatory was to impose a tax of five dollars not only upon Daguerrean Artists, but, also, upon all persons who practice the art or business of taking likenesses either as Daguerrean, Photograph or Ambrotype Artists, and that a tax of five dollars is hereby imposed upon each person engaged in either of said arts in said city.

SEC. IV. *Be it further ordained,* That all Ordinances or

parts of Ordinances militating against this Ordinance, be, and the same are hereby repealed.

WM. EZZARD, Mayor.

Passed, June 5th, 1860.

C. F. WOOD, Clerk.

TRIALS.

GENERAL ORDINANCE.

SEC. LXVII. Whenever the Marshal shall have any execution or executions placed in his hands, he shall execute the same in the manner prescribed by this Ordinance, and whenever he shall levy any execution upon any goods, chattels, or tenements, he shall advertise the same in three of the most public places in said city ten days before the sale (except in case where land is levied upon, when he shall advertise in three of the most public places in said city, and in one of the public Gazettes at least sixty days prior to the day of sale,) and the said Marshal shall, on the first Monday of each month between the hours of ten o'clock in the forenoon, and four o'clock in the afternoon, sell all property levied upon, in front of the City Council room at public outcry, and shall receive for such selling six-and-a-quarter per cent. on the amount sold.

AN ORDINANCE to prescribe the manner of trying offenders before the Mayor or Council, and to enforce the attendance of parties and witnesses, and to protect said trials, and punish contempts of said Court.

SEC. VII. The Clerk shall issue summons for witnesses, requiring them to appear before the Mayor or Council, under a penalty of fifty dollars, and which summons shall bear test in the name of the Mayor, and notify such witness of the time of trial, and which shall be served personally on such witness, or left at his or her most notorious place of abode.

SEC. X. Any person being dissatisfied with the decision

of the Mayor or Council, such person shall have the right to an appeal to a full Board of Council, on immediately paying all costs, and giving bond and security for his or her personal appearance before said full Board for trial, and for the condemnation of said full Board.

JOHN F. MIMS, Mayor.

Passed, February 18th, 1853.

H. C. HOLCOMBE, Clerk.

AN ORINANCE to prescribe the manner of trying offenders before the Mayor or three members of Council, and to enforce the attendance of parties and witnesses, and to punish contempts of said Court.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same,* That all offenders against the Ordinances of said city shall be tried by the Mayor, and in his absence, by three members of Council, which said court may impose in its discretion any fines, not exceeding fifty dollars and costs, or imprisonment in the guard house not exceeding thirty days, upon such offenders.

SEC. II. For violations of any Ordinance, or Section of an Ordinance, for which no particular penalty has been prescribed, this Court may impose in its discretion any fine not exceeding fifty dollars and costs, or imprisonment as aforesaid.

SEC. III. It shall be the duty of the Clerk, in all cases where complaint is made, or information given, of any violation of any of the laws and Ordinances of said city (whether the party be confined in the guard house or not) to issue a summons, directed to the accused, requiring said offender to appear before the Mayor, or three members of Council in the Mayor's absence, to answer said charge, and which summons shall contain the offence and time and place of trial, and bear test in the name of the Mayor, be signed officially by the Clerk, and directed to the Marshal or Deputy Marshal, of said city to be excuted, who shall execute the same by serving a copy upon the accused, or leaving it at his or her place of residence, and if confined in the guard house, he, she, or they, shall be brought out for trial.

SEC. IV. If any person, summoned as aforesaid shall fail

or neglect or refuse to appear, or to render a satisfactory showing for such failure, neglect, or refusal, to appear and answer the charge specified, he or she may be fined in a sum not exceeding fifty dollars, and the cause continued to such time as the Court may direct, and the Mayor or three members of Council may issue an order requiring the Marshal or Deputy Marshal to arrest said offender, and bring him or her before the Court to answer said contempt, and it shall be the duty of said Marshal, or Deputy, to keep the offender in custody until he is brought before the Court.

SEC. V. Any party against whom any complaint is lodged, or information given, may file a plea of guilty, under such regulations and upon such terms as the Court may prescribe, and if said party cannot attend said trial, the Court shall pass such sentence or order in the case as if the party were personally present.

SEC. VI. Whenever the attendance of any witness may be required before the Court, to establish any fact, the Clerk of Council shall issue a subpoena, directed to the witness, stating the time and place of trial, and the parties to the case, which shall bear test in the name of the Mayor, and be served as other summons' by the Marshal or Deputy Marshal, or other officer of Council.

SEC. VII. If any person so summoned as a witness, shall fail, neglect or refuse to attend said trial, or render at the time a sufficient excuse in the judgment of the Court, said defaulting witness shall be liable to a fine of not exceeding fifty dollars; and if said cause shall be continued on account of the witness' absence, the Mayor, or Court, may issue an attachment against said witness, requiring him to show cause, on the day appointed for trial, why he should not be further dealt with for contempt, and the Marshal or Deputy Marshal shall, by virtue of said attachment, arrest and confine said person, so as to have him, her or them, before the Mayor at such time as he may appoint for further hearing of the original complaint.

SEC. VIII. Any person who, during the sitting of Police Court, or during a session of the Council, shall be guilty of a contempt of Court, or of Council, or refuse to abide by any sentence, or order of said Court or Council aforesaid, shall be fined in a sum not exceeding fifty dollars and costs, or confinement in the guard house, or both, as shall seem expedient or proper under the circumstances.

SEC. IX. Any person being dissatisfied with the decision of the Mayor, or three members of Council, shall have the right to appeal to a Board of Council by payment of costs and giving good and sufficient security for the eventual condemnation money, which appeal shall be entered within four days, and shall operate as a *supersedeas* of the execution until the disposition of the appeal by the Mayor and Council, which said appeal shall be taken up and disposed of at the next meeting of Council, unless continued upon a legal showing.

SEC. X. The Clerk shall issue an execution instanter, where any fine is imposed by the Court or Mayor and Council, to be levied upon the goods, chattels, lands and tenements of the person or persons fined, if the same is not immediately paid, which execution shall bear test in the name of the Mayor, and be signed officially by the Clerk and be directed to the Marshal, and whenever said *fi. fa.* or *fieri facias*, shall be returned "no property to be found," then a *capias ad satisfaciendum* against the body of the person fined as aforesaid, may issue in terms of the Charter of this city.

SEC. XI. If on trial of any cause before the Mayor it appears that any other person beside the one on trial has violated a by-law or ordinance of this city, he or she may then and there be tried unless the case is put off for legal cause.

VENDUE MASTERS.

AN ORDINANCE for the appointing, licensing and regulating Vendue Masters and Sales at Auction.

SEC. IV. Any person acting as Vendue Master in the city of Atlanta with a license from Council, or any Vendue Master failing to make returns, or in any wise violating this Ordinance, may be fined by the Mayor or Council in a sum not exceeding fifty dollars and cost for each sale, and the license of such Vendue Master may be revoked by

Council. (The other Sections of this Ordinance are contained in the next Ordinance.)

JOHN F. MIMS, Mayor.

Passed, April 2d, 1853.

H. C. HOLCOMBE, Clerk.

AN ORDINANCE for the appointment of Vendue Masters, and regulating and prescribing the duties of the same and for other purposes.

SEC. I. Any person or persons desiring a license as Vendue Master in the city of Atlanta, shall deposit with the Clerk fifty dollars and his fee, and shall make written application to the Mayor and Council at the next regular meeting for such license; and if such license is granted, such person shall give bond and security to the Mayor and Council of the City of Atlanta and their successors in office in the just and full sum of four thousand dollars, conditioned for the punctual payment of all taxes and faithful discharge of all duties required of them by this State, and the Ordinances of the city of Atlanta, and which license shall be of force one year from the date thereof and no longer.

SEC. II. Each Vendue Master shall, before receiving license, take and subscribe an oath before the Clerk, faithfully to perform all the duties of Vendue Master for said city, according to the laws of this State and the Ordinances of this city, which affidavit shall be deposited with the Clerk of Council, and such Vendue Master shall quarter-yearly, on the first Saturdays in the months of April, July, October and January, in each and every year, make returns on oath, of the amount of his sales during the term of the three months next preceding the time of said return; and shall also pay to the Clerk of Council at or before the meeting of the Council to which said return is made, all money accruing to the city from duties or taxes upon such sales.

SEC. III. There shall be imposed a tax of two per cent. on each one hundred dollars of sales by auction hereafter to be made in the city of Atlanta, except on Real Estate and Negroes, Shares of Capital Stock of Banking or other Joint Stock Companies—the tax on which shall be one-fourth of one per cent.—but no tax shall be levied on sales made by

virtue of legal process or by executors, administrators or guardians, or by resident citizens of the city of Atlanta who pay the regular tax on their stocks, from vending at auction their own property, or of vending at auction produce and such articles of consumption as are exempt from taxes in said city.

SEC. IV. Any person acting as Vendue Master in the City of Atlanta without a license from the authorities of said city, and any Vendue Master failing to make returns, or in any wise violating this Ordinance, may be fined by the Mayor or three members of Council, in any sum not exceeding fifty dollars and costs, for each sale made by a person without license, and each failure to make returns or other violation of this Ordinance by a licensed Vendue Master.

SEC. V. All Ordinances and parts of Ordinances, conflicting with this Ordinance, be, and the same are hereby repealed.

WARDS.

AN ORDINANCE for laying off the City of Atlanta into Wards, and for other purposes therein mentioned.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same,* That the City of Atlanta shall be laid off into five Wards as follows, to wit :

Commencing at the crossing of Whitehall street with the Western & Atlantic Railroad, and running up the South side of said Railroad to the Incorporation line, then down said line to the centre of Whitehall street, then North along the centre of said street to the starting point, and which shall be known and constituted Ward Number One.

Commencing at the centre of the crossing of Whitehall street at the Western & Atlantic Railroad, and running east down the Railroad to the crossing of Calhoun street, in the rear of the Georgia Railroad workshop, then south along the middle of said street to the centre of McDonough street, thence along the centre of McDonough street to the

Incorporation line, then along said line to the centre of Whitehall street at its crossing at the Incorporation line, then along the centre of said street to the starting point, which shall be known and constituted Ward Number Two.

Commencing at the centre of Calhoun street at its south crossing of the Georgia Railroad workshop, and running down the south side of said Railroad to the Incorporation line, then along said line to the centre of McDonough street to the starting point, which shall constitute and be known as Ward Number Three.

Commencing on the north side of the Georgia Railroad in the centre of the crossing of said Railroad by Loyd street, and running down the north side of said Railroad to the Incorporation line, then along said line to Ivy street, then along the centre of Ivy street to Decatur street, then along said street west to the centre of Loyd to the starting point, which shall constitute and be known as Ward Number Four.

Commencing at the north side of said Railroad, at the centre of the crossing of Loyd street, and running west along the north side of the Western & Atlantic Railroad to the Incorporation line, then along said line to the centre of Ivy street, then south along the centre of Decatur street to the centre of Loyd street, then along the centre of Loyd street to the starting point, which shall constitute and be known as Ward Number Five.

WAGON YARDS.

AN ORDINANCE to guard against the danger of fires and for other purposes.

SEC. II. No person shall be allowed to camp in the city with any wagon or other vehicle, and team, except in a regular Wagon-Yard, and any person convicted of a violation of this section shall pay a fine of not exceeding fifty dollars and costs. The regular Wagon-Yard spoken of in this section, shall be such as are licensed by three members of Council, for which license the applicant shall pay not less

than one dollar, nor more than fifty, in the discretion of the members aforesaid, and each and every person who shall permit any one to encamp with a wagon or other vehicle and team, on his or her lot, not being a regular Wagon-Yard, shall, on conviction, pay a fine of not exceeding fifty dollars and costs.

AN ORDINANCE for the regulation of Wagon-Yards in the city of Atlanta.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same,* That it shall be the duty of all owners and keepers of Wagon-Yards in said city, to give public notice by painted signs on the gate of said Wagon-Yard to the following purport: "Drunkenness, violence, indecent or obscene language forbidden, under the penalty of from ten to fifty dollars."

SEC. II. *Be it further ordained by the authority aforesaid,* That any person guilty of drunkenness or violence, or of the use of indecent or obscene language in or near any Wagon-Yard, shall be fined not less than ten dollars, nor more than fifty dollars.

SEC. III. *Be it further ordained by the authority aforesaid,* That it shall be the duty of the Marshal or his Deputy to have all Wagon-Yards under their special supervision, until the hour of ten o'clock, P. M., and to arrest all and every person or persons guilty of a violation of this Ordinance, and bring him or them before the Mayor or three members of Council.

WILLIAM EZZARD, Mayor.

Passed, March 2d, 1860.

C. F. WOOD, Clerk.

WIDENING OF CREW STREET.

AN ORDINANCE providing for the widening of Crew Street.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same,*

That Crew street is hereafter declared to be forty feet wide, and the City Surveyor is hereby authorized to lay out said Street in accordance with this Ordinance, and fix permanent bounds or marks by which its width shall be known, and all citizens residing or building thereon shall be governed thereby.

SEC. II. This Ordinance shall take effect and be of force immediately after its passage.

LUTHER J. GLENN, Mayor.

Passed, January 19th, 1860.

C. C. HOWELL, Clerk.

WIDENING OF WHITEHALL STREET.

AN ORDINANCE to provide for Widening Whitehall street between the Railroad crossing and the junction of Marietta and Decatur streets, to provide for the assessment of damages, &c., &c.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same,* That Whitehall street in said city, from the Railroad crossing to the junction of Marietta and Decatur streets, be, and is hereby declared to be sixty feet wide and no less.

SEC. II. *Be it further ordained,* That the Mayor appoint one disinterested person, and Mr. J. Norcross be allowed and requested to appoint another, who shall proceed to assess the damages (if any) which may be sustained by said Norcross for the appropriation of so much of his land as may be necessary to carry into effect the first Section of this Ordinance; and in case said arbitrators should be unable to agree as to said damages, then they are to select an umpire; and when the award of said arbitrators shall be rendered, which shall be done in five days after their appointment, either party dissatisfied with the same, may enter an appeal to the Superior Court of Fulton county, to stand for trial, and be tried by and before a special Jury, under

the same rules and regulations that govern in other appeal cases in said Court; said appeal to be entered within ten days from the rendition of said award, and notice thereof to the parties.

SEC. III. *Be it further ordained*, That in case said Norcross shall refuse or neglect to appoint an assessor, as provided in the foregoing section, within two days after he shall receive notice from the Mayor of an appointment of an assessor on the part of the city, as provided for in said last section, then the Mayor shall appoint the second assessor, and the two thus appointed shall proceed to assess the damages aforesaid; and in case of disagreement, they shall select a third person, and the said persons thus appointed and selected, shall proceed to assess the damages aforesaid, and render an award for the same to the said City Council.

SEC. IV. *Be it further ordained*, That upon the rendition of the award contemplated in the foregoing Sections of this Ordinance, the amount thereof shall be immediately tendered and paid to said J. Norcross, by the said Mayor and Council of the city of Atlanta.

SEC. V. *Be it further ordained*, That the assessors hereinbefore provided for, shall, before entering on their duties, be sworn by the Mayor, to ascertain and assess said damages without favor or partiality to either party.

SEC. VI. *Be it further ordained*, That after the passage of this Ordinance, the said street shall be under the control of the authorities of said city in every respect, and to the same extent as other streets in said city.

SEC. VII. *Be it further ordained*, That all Ordinances and parts of Ordinances militating against or inconsistent with this Ordinance, shall be made null and void.

LUTHER J. GLENN, Mayor.

Passed, March 25th, 1859.

C. C. HOWELL, Clerk.

WHITEHALL, DECATUR, &c.

AN ORDINANCE to regulate and keep cleaner so much of Whitehall, Decatur, Peach-Tree, Loyd, and Alabama Streets, as hereinafter specified, and for other purposes, &c.

SEC. I. Any and all persons who reside on or do business on any of the following streets in the boundaries specified, to-wit: Whitehall street, from Roark's corner to its junction with Marietta, up Peach-Tree to North side of what is known as Hayden's Block, down Decatur street to Loyd street, along Loyd street to Alabama street, up Alabama street to Bridge street, who shall deposit on either of the aforesaid streets or sidewalks any sweepings from any store or stores, dwelling or place of business, any paper, hair, fuel, slop or washings of any kind, and suffer the same to remain more than six hours on either sidewalks or streets, as before mentioned, shall, on conviction, pay a fine of not exceeding fifty dollars for each and every offence, and if a negro or person of color shall offend against this Ordinance, he or they shall be fined, if collectable, or receive thirty lashes from the Marshal or his Deputy.

SEC. II. For the convenience of persons interested in Section first of this Ordinance, it shall be their duty to place all accumulations therein mentioned in a box, or other receptacle, and place the same on the outside of sidewalk on every Tuesday, Thursday and Saturday mornings, at six o'clock, A. M., at which time the Street Overseer shall have all such accumulations removed according to his discretion.

SEC. III. The Mayor or three members of Council shall at all times be competent to hear and decide all infringements, real or imaginary, of this Ordinance.

LUTHER J. GLENN, Mayor.

Passed, June 3d, 1859.

C. C. HOWELL, Clerk.

WESTERN RAILROAD.

AN ORDINANCE making an appropriation to the Western Railroad.

SEC. I. *Be it ordained by the Mayor and Council of the City of Atlanta, and it is hereby ordained by the authority of the same,* That His Honor the Mayor of said city, be, and he is hereby authorized and directed to subscribe in behalf of the Mayor and Council of the city of Atlanta, for 3,000 shares of \$100 each, in the Georgia Western Railroad Company.

SEC. II. *Be it further ordained by the authority of the same,* That in and for the payment of each and every installment that may be called in by the proper authorities of said Company, His Honor the Mayor shall cause to be issued the bonds of the city in sums of one thousand dollars each, payable twenty years after date at the Clerk of Council's office in said city of Atlanta, said bonds to be signed by the Mayor and countersigned by the Clerk of Council, and have the seal of the city attached thereto, said bonds to bear interest at the rate of seven per cent. per annum, payable semi-annually, at the office of the Clerk of Council in said city, upon the presentation of the coupons or warrants for the said semi-annual interest, which shall be attached to said bonds.

SEC. III. *Be it further ordained by the authority aforesaid,* That in addition to the faith and credit of the city of Atlanta, the stock taken and subscribed for by His Honor the Mayor in behalf of said corporation, in said Georgia Western Railroad Company, and the income thereon shall, and the same is hereby pledged for the payment of the interest that may accrue on said bonds and the final redemption of the same.

WM. EZZARD, Mayor.

Passed, May 25th, 1857.

C. F. WOOD, Clerk.

AN ORDINANCE to adopt the compilation of the Acts of Incorporation and Ordinances of the City of Atlanta, made by Marshal J. Clarke, and to repeal all Ordinances conflicting therewith or not contained in the same.

SEC. I. *Be it ordained by the Mayor and Council of the city of Atlanta, and it is hereby ordained by the authority of the same,* That the Ordinance passed on the 13th day of April, 1855, on the subject of Hogs, and the one passed on the 4th April, 1856, on the subject of Awnings, and one passed on the 14th day of February, 1851, to guard against danger of Fire, and the 51st, 52d, 53d Sections of the General Ordinance, on the subject of Patrols, and the 14th and 44th Sections of the said Ordinance, on the subject of Streets, and 20th, 21st, 24th, 25th, and 64th Sections of the same, on the subject of Slaves and Free Persons of Color, and the 1st and 11th Sections of the Ordinance passed May 20th, 1853, on the same subject, and all other Ordinances or parts of Ordinances heretofore passed and not embraced in the said Compilation, be, and the same are hereby repealed.

SEC. II. *Be it further ordained,* That all the Ordinances or By-Laws contained in said Compilation be, and they are hereby ratified and confirmed, and declared to be in full force and effect.

SEC. III. *Be it further ordained,* That said Compilation be published under the supervision of the Committee on Printing, with as little delay as practicable.

WILLIAM EZZARD, Mayor.

Passed, June 15th, 1860.

C. F. WOOD, Clerk.

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APPENDIX.

AN ORDINANCE, To repeal so much of the Ordinance entitled "An Ordinance Regulating Retail Houses, and prescribing the mode of issuing License," and an Ordinance passed on the eleventh day of July, entitled "An Ordinance Amendatory of an Ordinance in relation to Retail Houses, Billiard Tables, Ten Pin Alleys, &c.," as permits the keeping open of Bar Rooms attached to Hotels on the Sabbath day.

SEC. I. *Be it ordained by the Mayor and Council of the City of Atlanta, and it is hereby ordained by authority of the same,* That it shall not be lawful for any Retailer, or for the Keeper of any Bar-Room in the City of Atlanta, whether attached to a Hotel or not, to keep open the doors or windows of said Retail Houses or Bar Rooms on the Sabbath day.

SEC. II. *Be it ordained by the authority aforesaid,* That any person violating this Ordinance, shall, upon conviction thereof, pay a fine of not exceeding fifty dollars and costs; and, upon failure or refusal to pay the same, to be imprisoned in the Guard House not exceeding thirty days.

SEC. III. *Be it further ordained,* That all Ordinances or parts of Ordinances militating against this Ordinance be, and the same are hereby repealed.

Passed, August 17, 1860.

AN ORDINANCE, To prohibit the throwing of water, dirt, trash, or any other offensive matter from the windows or doors of any house or building, upon the side-walks of any Street in the City of Atlanta.

SEC. I. *Be it ordained by the Mayor and Council of the City of Atlanta, and it is hereby ordained by authority of the same,* That it shall not be lawful for any person, either by himself, servant or agent, to throw or cause to be thrown from any window or up-stairs door of any house or building in the City of Atlanta, upon the side-walk of any street, any water, dirt, or any offensive matter of any kind whatever.

SEC. II. *Be it further ordained by the authority aforesaid,* That the Proprietor of any house from which such matter is thrown shall be accountable for the acts of his servants or agents, and the servant, if a slave or free person of color, shall be liable to be punished also.

SEC. III. Any white person violating this Ordinance shall, upon conviction, be fined in a sum not exceeding fifty dollars and costs; and, upon failure or refusal to pay the same, may be imprisoned not exceeding thirty days in the Guard House, and any slave or free person of color convicted of a violation thereof, shall be punished by whipping, not exceeding thirty-nine lashers.

SEC. IV. All Ordinances conflicting with this Ordinance be and the same are hereby repealed.

Passed, August 17, 1860.



AN ORDINANCE, To repeal an Ordinance entitled "An Ordinance for the subscription of stock to the Georgia Air-Line Railroad Company, on certain conditions.

WHEREAS, The Mayor and Council of the city of Atlanta did, on the 13th day of April, 1860, pass an ordinance subscribing Three Thousand Shares to the Capital stock of the Georgia Air-Line Railroad Company, to be paid in the Bonds of the city, under certain conditions and limitations set forth in said ordinance; and

WHEREAS, We believe said ordinance was passed without due consideration and a misapprehension of the facts, and that the best interests and safety of the city demand its repeal; and we adduce the following reasons:

1st. We have good reason to believe that said managers have violated, and are continually seeking to violate, the resolutions of the Corporators which were made the rule and conditions on which subscriptions to said Company were obtained, by letting the work to contract without having the requisite amount of good valid subscriptions, and by adopting an indirect, injudicious and improper route for said Road, by which its ultimate value will be seriously impaired, if it shall be so constructed.

2nd. We have good reason to believe, and do believe, that the *direct* route between the points indicated in the charter has never been surveyed and that the present managers of the Company refuse to have said route surveyed—thereby violating the true intent of the charter, and jeopardizing the interests of the Road and the City.

3rd. The course pursued by the present managers of the Georgia Air-Line Railroad Company has given very general dissatisfaction to the individual subscribers in this city, and this Council believing that strong reasons existed for such dissatisfaction, did pass a resolution, requesting said managers to postpone the letting and commencement of the grading until the Convention of the Stockholders—which resolution, the said managers have entirely disregarded.

4th. The construction of the Georgia Air-Line Railroad can be postponed without detriment to the interests of our City, as our trade with North Eastern Georgia is not at this time threatened with rival roads, and because the links necessary to give a through connection or route to Richmond, Virginia, are not provided for, nor is there any prospect that said links will be constructed for several years to come.

For the foregoing reasons; and in view of the fact that no pecuniary liability has been incurred by the said Railroad Company, based on said Ordinance, beyond what the City has already paid to said Company—we deem it prudent and right to repeal said Ordinance. Therefore—

Be it ordained by the Mayor and Council of the City of Atlanta, That the Ordinance subscribing Three Hundred Thousand Dollars to the Georgia Air-Line Railroad Company, passed on the 13th day of April, 1860, be, and the same is hereby repealed.

Passed, August 17, 1860.

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